

# JOURNAL

OF THE

## SENATE OF MAINE.

1878.

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FIFTY-SEVENTH LEGISLATURE.

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AUGUSTA:

SPRAGUE, OWEN & NASH, PRINTERS TO THE STATE.

1878.

## STATE OF MAINE.

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IN SENATE, January 11, 1878.

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-SEVENTH LEGISLATURE.

## JOURNAL OF THE SENATE.

### STATE OF MAINE.

AUGUSTA,  
WEDNESDAY, JANUARY 2, 1878. }

Pursuant to the provisions of the Constitution and the Laws of the State of Maine, the Senators elect to the Fifty-Seventh Legislature convened in the Senate Chamber, and were called to order by SAMUEL W. LANE, Esq., Secretary of the Senate of 1877.

Prayer was offered by Rev. Mr. UPJOHN 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-Seventh Legislature, as appears by the report of the Governor and Council, under date of November 9th, A. D. 1877, to wit :

FIRST SENATORIAL DISTRICT—YORK.

JOSEPH HOBSON of Saco,

\* WILLIAM F. MOODY of Kennebunkport,

\*2

JOHN F. FERGUSON of Shapleigh.

\* NOTE—The \* refers to corresponding pages of original Journal deposited with the Secretary of State.

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## SECOND SENATORIAL DISTRICT—CUMBERLAND.

JAMES BAILEY of Portland,  
PHILANDER TOLMAN of Harrison,  
WARREN H. VINTON of Gray,  
WILLIAM G. DAVIS, of Portland.

## THIRD SENATORIAL DISTRICT—OXFORD.

JAMES IRISH of Hartford,  
MOSES S. MOULTON of Porter.

## FOURTH SENATORIAL DISTRICT—ANDROSCOGGIN.

J. L. H. COBB of Lewiston,  
RUFUS PRINCE of Turner.

## FIFTH SENATORIAL DISTRICT—FRANKLIN.

JAMES MORRISON, JR., of Phillips.

## SIXTH SENATORIAL DISTRICT—SAGadahoc.

WILLIAM ROGERS of Bath.

## SEVENTH SENATORIAL DISTRICT—KENNEBEC.

GREENLIEF T. STEVENS of West Waterville,  
J. MANCHESTER HAYNES of Augusta.

## EIGHTH SENATORIAL DISTRICT—SOMERSET.

DARIUS H. BARTLETT of Harmony,  
NAHUM TOTMAN of Fairfield.

## NINTH SENATORIAL DISTRICT—PISCATAQUIS.

JASON HASSELL of Sebec.

## TENTH SENATORIAL DISTRICT—PENOBSCOT.

J. WYMAN PHILLIPS of Orrington,  
EDWARD B. NEALLEY of Bangor,  
DANIEL F. DAVIS of Corinth,  
LLOYD W. DRAKE of Springfield.

## ELEVENTH SENATORIAL DISTRICT—LINCOLN.

URIAH W. WOODWARD of Damariscotta.

## TWELFTH SENATORIAL DISTRICT—KNOX.

JOSEPH H. MARTIN of Camden.

## \*THIRTEENTH SENATORIAL DISTRICT—WALDO.

\*3

ISAAC M. BOARDMAN of Belfast,  
ORRIN LEARNED of Burnham.

## FOURTEENTH SENATORIAL DISTRICT—HANCOCK.

WILLIAM GRINDLE of Penobscot,  
WILLIAM W. BRAGDON of Franklin.

## FIFTEENTH SENATORIAL DISTRICT—WASHINGTON.

ALBERT M. NASH of Harrington,  
ALEXANDER B. SUMNER of Lubec.

By a report of the Governor and Council, under date of December 8th, A. D. 1877, Parker P. Burleigh of Linneus was declared to have received the greatest number of votes for Senator in the Sixteenth Senatorial District, Aroostook county, but the issue of a summons for him to appear and take his seat was not authorized.

[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-eight, and of the Independence of the United States of America the one hundred and second.

(Signed)

S. J. CHADBOURNE,

*Secretary of State.*

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

Messrs. Bailey, Bartlett, Boardman, Bragdon, Cobb, Davis of Cumberland, Davis of Penobscot, Drake, Ferguson, Grindle, Has-sell, Haynes, Hobson, Irish, Learned, Martin, Moody, Morrison, Moulton, Nash, Nealley, Phillips, Prince, Stevens, Sumner, Tol-man, Totman, Vinton and Woodward.

And a quorum of Senators elect was present.

\*4 \* On motion by Mr. GRINDLE,

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. Grindle 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. BAILEY,

Messrs. Bailey of Cumberland, Martin of Knox and Bartlett of Somerset, 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 .....	28
Necessary for a choice .....	15
Warren H. Vinton has .....	25
William G. Davis.....	3

The report was accepted, and Hon. Warren H. Vinton was declared duly elected President of the Senate for the current political year.

\*5 Mr. Vinton was conducted to the chair by Mr. \* Davis of Cumberland and Mr. Nash of Washington, and thereupon addressed the Senate as follows:

SENATORS,—I recognize at once, in the place which your partiality assigns me, one of honor, one of responsibility, one of labor. For the honor thereby conferred I thank you. The responsibility I dare not assume, the labor I dare not undertake, only as I feel assured of that kindly co-operation on your part, and on the part of each of you, of which the unanimity with which you call me would seem to be at once a token and a pledge.

Standing as we now do around this senatorial board, about to enter upon the discharge of our important duties, it may not be amiss to spend a moment in defining with accuracy the place we occupy. It is a question none too often asked, How comes it that the legislature is double? Why is it that before any bill can become a law, can be in a condition even to ask the executive approval, it must pass with all due formality one body, and then go to, and pass with a like formality, another body? Why is this? Why would not one suffice? Where is the wisdom of two? The wisdom of this arrangement it found in its history, which is this:

The first great right wrenched from kingly prerogative was the right to be represented at all. This representation made the legislature one body. The king, as a further concession, called around him a body of men, as councillors, with whom he advised, and who in turn were supposed to advise him. But it was soon found that this body of men thus called by the king were in the interest of the king, and did the bidding of the king. As a result, the people came to demand some voice in the selection of this \*body, and so in time it in some form became elective, and \*6 hence another legislative body, the higher branch called in different countries by various names—in the United States, and in each and all of the several States, the Senate. Now it will be at once perceived that the Senate, standing thus midway between the immediate representatives of the people on the one hand and the executive on the other, is, from its very character and situation—to use a word very excellent in itself, though much abused in our time—the *conservative* body. So that should the immediate representatives of the people, in any unguarded moment, attempt any rash, excited or imprudent action, it may be checked and corrected here. On the other hand, should the executive attempt any encroachment upon the rights of the people, it may be held and corrected here.

While the two branches of the legislature are thus separate, and each wholly independent in its action, still they must act in harmony, or they cannot act at all. I have myself known some word let fall in the excitement of debate, against some word or deed of the other branch, to be construed into an act of hostility, and so embitter the whole session, and seriously impair its efficiency, disturb and mar its action. No rule of parliamentary

law is or can be better settled than this, that no word or deed is in order which in any manner reflects upon any word or deed of the other branch. I need not say, standing in the presence of Senators of large experience, and much proficiency in parliamentary law, that no occasion will arise here for the application of this rule.

\*7 The legislature thus constituted, and thus acting, \*takes its place, under the Constitution, as a co-ordinate branch of the State government. And here again, on a broader scale, with its cognates there must be harmony of action, each department, to be sure, acting independently, but should there be any encroachment by one upon the other, the State is thereby sure to suffer loss; and it is only when the legislature acts within its constitutional sphere, and the judiciary within its sphere, and the executive within its sphere, that the laws are wisely enacted, fairly interpreted, and well and properly executed.

The character of a people, the wisdom of a people, the progress of a people, the liberties of a people, all are found in the laws which they enact. Let it, therefore, be our aim during the present session to enact such laws as shall make conspicuous and render illustrious these traits of the people represented by us.

On motion by Mr. TOLMAN,

Messrs. Tolman of Cumberland, Boardman of Waldo and Cobb of Androscoggin, 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.....	26
Necessary for a choice .....	14
Samuel W. Lane has.....	26

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

Mr. Lane signified his acceptance of the office, and

\*8 \*On motion by Mr. PHILLIPS,

Messrs. Phillips of Penobscot and Nash of Washington were appointed a Committee to conduct the Secretary elect to the Council Chamber for the purpose of taking and subscribing the necessary oaths to qualify him to enter upon the discharge of his official duties.

Mr. Phillips subsequently reported that the Committee had attended to the duty assigned them, 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 1877.

On motion by Mr. BRAGDON,

Messrs. Bragdon of Hancock, Martin of Knox and Morrison of Franklin, were appointed a Committee to receive, sort and count the votes for Assistant Secretary of the Senate

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

The whole number of votes is .....	26
Necessary for a choice .....	14
Charles W. Tilden has... ..	26

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

Mr. Tilden subsequently 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. FERGUSON,

\*9

Messrs. Ferguson of York, Drake of Penobscot and Sumner of Washington, 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 .....	26
Necessary for a choice .....	14
Benjamin F. Stevens has .....	26

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

On motion by Mr. NASH,

Messrs. Nash of Washington, Woodward of Lincoln and Has-sell of Piscataquis, 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.....	24
Necessary for a choice .....	13
Charles H. Lovejoy has.....	24

The report was accepted, and Charles H. Lovejoy of Sidney was declared duly elected Assistant Messenger of the Senate.

On motion by Mr. BOARDMAN,

Messrs. Boardman of Waldo, Moulton of Oxford and Hobson of York, were appointed a Committee to receive, sort and count the votes for Folder.

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

The whole number of votes is.....	25
Necessary for a choice .....	13
*10 *A. B. T. Chadbourne has.....	25

The report was accepted, and A. B. T. Chadbourne of Dixmont was declared duly elected Folder of the Senate.

Mr. NEALLEY announced the attendance of Hon. William Rogers, Senator elect from the Sixth Senatorial District, and that he was ready to be qualified.

Mr. Nealley was directed by the President to conduct Mr. Rogers to the Governor and Council for that purpose; who subsequently reported that he had attended to the duty assigned him, and that Mr. Rogers 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. Rogers thereupon took his seat at the Senate board.

On motion by Mr. STEVENS,

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. Warren H. Vinton as President and Samuel W. Lane, Esq., as Secretary.

On motion by Mr. NEALLEY,

That Senator was charged with a message to the House of Representatives, informing that body that the Senate is duly organized by the choice of Hon. Warren H. Vinton as President and Samuel W. Lane, Esq., as Secretary.

A message was received from the House of Representatives by Mr. Briggs of Auburn, informing the Senate that the House is duly organized \*by the choice of Hon. Henry Lord as \*11 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. PHILLIPS,

*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. Phillips of Penobscot, Grindle of Hancock, Irish of Oxford, Woodward of Lincoln, Tolman of Cumberland, Boardman of Waldo and Moody of York, 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. BAILEY,

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

And Messrs. Bailey of Cumberland, Prince of Androscoggin, Rogers of Sagadahoc, Martin of Knox, Learned of Waldo, Sumner of Washington and Davis of Penobscot, were appointed on the part of the Senate.

Sent down for concurrence.

Subsequently came back concurred, with Messrs. Briggs of Auburn, Porter of Caribou, Wilson of Raymond, \*Phin- \*12 ney of Jay, Buck of Orland, Vickery of Augusta, Moore of Thomaston, Partridge of Whitefield, Hall of Oxford, Weymouth of Oldtown, Burgess of Dover, Kimball of Bath, Parlin of Anson, Woods of Belfast, Coffin of Harrington and Lord of Kennebunkport joined on the part of the House.

On motion by Mr. BARTLETT,

*Ordered*, That the Secretary of the Senate procure the printing

of one hundred and twenty-five diagrams of the Senate Chamber for the use of the Senate.

On motion by Mr. MARTIN,

*Ordered*, That the Rules and Orders of 1877 be the Rules and Orders of this Senate until otherwise ordered.

On motion by Mr. TOLMAN,

*Ordered*, The House concurring, that the Joint Rules and Orders of 1877 be adopted as the Joint Rules and Orders of this Legislature until otherwise ordered.

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. STEVENS,

*Ordered*, That the Secretary of the Senate invite the clergymen of Augusta, Hallowell and Gardiner to officiate as Chaplains, in rotation, during the present session.

On motion by Mr. MORRISON,

*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.

\*13 \* On motion by Mr. FERGUSON,

*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. MORRISON,

*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 1877.

On motion by Mr. MOODY,

*Ordered*, That the Secretary of State be directed to place in the hands of the Secretary of the Senate, for the use of the Senate, four copies of the revised statutes of the State, one copy each of Webster's Unabridged Dictionary and Worcester's Un-

bridged Dictionary, Lippincott's Pronouncing Gazetteer, Cushing's Manual and the Holy Bible, and that it shall be the duty of the Secretary of the Senate to have the same returned to the Secretary of State at the close of this session.

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. BRAGDON, at 8 minutes past 12 o'clock M,  
The Senate adjourned.

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\* THURSDAY, JANUARY 3, 1878. \*14

Senate met according to adjournment.

Prayer by Rev. Mr. PENNEY of Augusta.

The Journal of yesterday was read.

Order from the House :

The following: *Ordered*, That all petitions or orders for legislation, except those for redress of wrongs and grievances, which may be presented to this Legislature after Tuesday, January 22d inst., be referred to the next Legislature, and that this order be published in the Daily Kennebec Journal, Portland Daily Press, Eastern Argus, Bangor Daily Whig, Bangor Daily Commercial, Lewiston Evening Journal and Bath Daily Times, until said date; and this order shall not be suspended or reconsidered except by a vote of two-thirds of the members present, came from the House passed, and was read and passed in concurrence.

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, Cobb of Andro- \*15

scoggin and Learned of Waldo, were appointed on the part of the Senate.

Sent down for concurrence.

On motion by Mr. PHILLIPS,

*Ordered*, That the Secretary of the Senate make up the pay of James H. Banks, Messenger, for ten days' attendance and travel.

On motion by Mr. PHILLIPS,

*Ordered*, The House concurring, that when the Senate adjourns it be to meet on Tuesday next at two o'clock P. M.

Sent down for concurrence. Came back concurred.

Mr. BAILEY, from the Committee on Gubernatorial Votes, submitted the following report:

The Committee to whom was referred the Gubernatorial Vote of 1877, for examination and report, having attended to that duty ask leave to report as follows:

The whole number of votes returned was...		102,058
Necessary for a choice.....		51,030
Selden Connor has.....		53,585
Joseph H. Williams.....		42,247
H. C. Munson .....		3,770
John C. Talbot .....		736
Joseph Williams.....		64
Samuel J. Anderson.....		40
Henry C. Munson.....		1,521
Selmen Connor .....		15
J. C. Talbot.....		11
R. C. Munson .....		2
Joshua L. Chamberlain .....		30
*16	* Bion Bradbury .....	4
	Charles W. Roberts.....	3
	Marcellus Emery.....	3
	Martin V. Delano.....	3
	F. A. Williams .....	2
	W. K. Shurtliff... ..	2
	Joseph H. Titcomb.....	2
	Scattering.....	18

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

(Signed)

JAMES BAILEY, }  
ANSEL BRIGGS, } *Chairmen.*

The report was accepted.

Sent down for concurrence.

On motion by Mr. PHILLIPS,

*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 duly elected Governor of the State of Maine for the current political year.

And Messrs. Phillips of Penobscot, Totman of Somerset and Martin of Knox, were appointed on the part of the Senate.

Sent down for concurrence.

Subsequently came back concurred, with Messrs. Winslow of Portland, Reynolds of Lubec, Cutler of Bangor, Morrill of Sebec and Kimball of Bath, joined on the part of the House.

Mr. Phillips, 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. \*17

On motion by Mr. NEALLEY,

*Ordered*, That a message be sent to the House of Representatives, proposing a Convention of the two branches of the Legislature, in the Representatives' Hall, this day forthwith, 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.

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.

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

## IN CONVENTION.

On motion by Mr. HAYNES of the Senate,

Messrs. Haynes of Kennebec and Totman of Somerset, of the Senate, Messrs. Weeks of Augusta, Pierce of Portland and Strickland of Bangor, of the House, were appointed a Committee to wait upon Hon. Selden Connor, Governor elect, and inform 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.

\*18 \* Mr. Haynes subsequently reported that the Committee had attended to the duty assigned them, and that the Governor elect requested them 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 his lawful acts and commands as such.

*God save the State of Maine.*

\*19 \* The PRESIDENT of the Convention then announced to the Governor that they were prepared to listen to any communication which he desired to make.

Thereupon the Governor addressed the Convention as follows :

*Gentlemen of the Senate and House of Representatives :*

As the new year opens before us, we may well pause for a moment, before confronting the grave responsibilities it brings to us, to give a thought of grateful recognition to the Divine Hand that has led our State safely and prosperously through the year that has closed. While nature has been benignant in bestowing healthful seasons, and abundant crops, and in withholding her destructive agencies, the influences that effect the complex relations of individuals and society to each other have all been tending to the improved condition of both. However slow their action may appear, the forces are at work that will attach our people more strongly to their State, restore the activities of industry and trade, give plentiful occupation to labor, tenant deserted homesteads, and cause new homes to arise on our soil. I do not use the language of thoughtless compliment in expressing my belief that all the offices of the State have been faithfully administered during the year. Every department and institution has diligently and prudently performed the duties incumbent on it.

I will first call your attention to

#### THE STATE TREASURY.

The receipts of the Treasury in 1877 were .....	\$1,207,738 27
Cash on hand Jan. 1st, 1877, was .....	394,422 27
	<hr/>
	\$1,602,160 54
Expenditures for the year 1877, were .....	\$1,371,627 64
Cash on hand Dec. 31st, 1877, was .....	230,532 90
	<hr/>
	\$1,602,160 54

The receipts were derived from the following sources :

State taxes .....	\$871,888 49
County taxes .....	9,132 61
Tax on savings banks .....	246,106 44
Tax on railroads .....	29,098 52
Tax on insurance companies .....	18,339 89
Land Agent .....	16,691 48
Miscellaneous sources .....	16,490 84

The difference between the amount of cash on hand on the first day of January and the amount on hand December 31st, shows

that the receipts for the year were not sufficient to meet the expenses for the year by the sum of \$163,889.37. This result is accounted for by the reduction of the rate of State tax from four mills in 1875 to three and three-fourths mills in 1876, a decrease of \$32,878.89 in receipts from the tax on deposits in savings banks, and of \$24,543.24 in receipts from tax on railroad companies, from the receipts of the previous year. The tax on insurance companies yielded \$5,367.04 more than in 1876. Last year \$46,500 of the State debt matured and was paid. The sum of \$25,000 of the State debt is required to be paid this year. There is a very small amount of State taxes in arrears, and the unusually large amount of \$49,000 of the tax of 1877 has been paid and is included in the amount of cash reported on hand in the treasury.

Assuming that the receipts for the current year will be equivalent to the amount of the tax levied for 1877, \$675,173.53, and that the receipts from all other sources will be the same as last year, namely, \$335,859.78, we have, including the amount of \$230,532.90, cash on hand, as our total resources for meeting the expenses of the current year, \$1,241,566.21, or \$130,061.43, less than the expenditures for 1877.

This bare statement of the condition and prospects of the treasury is enough without argument to prove that rigorous economy must be practised in all departments and institutions of the State; that appropriations must be restricted to positive requirements and pressing needs; that the rate of State tax, which was three mills in 1877, should be increased to three and three-fourths mills, and that ample authority should be given the treasurer to procure a temporary loan in cases of exigency.

The gross State debt on the first of January, 1877, was \$5,920,400. It has been reduced since by the payment at maturity of \$46,500, and is now \$5,873,900. The sinking fund has been increased \$120,142.23, and now amounts to \$911,436.04. The deduction of the sinking fund leaves the net indebtedness \$4,962,464.

After March 1st of this year, when \$25,000 will mature, no part of the public debt is due until August 15th, 1880, when \$307,000 will mature. An act approved February 25th, 1875, directs the Treasurer to extend and renew the bonds maturing at the latter date—among others—by substituting therefor bonds

bearing interest at the rate of six per centum per annum, payable to the amount of two hundred thousand dollars in 1890, and to the same amount each year thereafter. The new bonds are to be "executed and issued only as they can be substituted for at least an equal amount of the outstanding and uncanceled bonds which they are intended to renew and extend."

It is somewhat uncertain whether the act requires that the exchange shall be made according to the par value or the market value of the bonds. I recommend that the act referred to be so amended as to make the rate of interest payable on the bonds to be issued five per centum per annum, instead of six per centum, and to direct the substitution of the new bonds at their market value for the maturing bonds at their par value.

#### MILITARY AFFAIRS.

The volunteer militia force of the State was increased the past year by the admission of the Richards Light Infantry of Gardiner, and is now composed of the First Regiment of Infantry, three unattached companies of infantry, and a battery of light artillery.

It gives me pleasure to express my gratification at the fine appearance of these organizations on the occasion of the encampment at Augusta, in the month of August last. They exhibited a high degree of proficiency in discipline, drill and the performance of camp duties; such as can be attained only when officers and men are thoroughly imbued with an earnest, soldierly spirit, and the purpose to profit to the utmost by their opportunities for improvement.

The good condition of the militia is attributable in great measure to the fact that most of the officers and many of the rank and file have been taught in the sternest school of soldiership, and know what constitutes the essential instruction of a soldier, and that the object of a military establishment is not holiday pageantry.

The encampment was in every respect a successful one. The intense heat that prevailed during the entire period of its continuance, combined with the hard work of drill and camp duties, tested the fortitude of the command and lent to the occasion something of the character of actual service. Good order was maintained, and the few cases of disorderly conduct that occurred

were promptly punished. It is hardly necessary for me to declare that I consider the Volunteer Militia a credit to the State, valuable in itself, and as a means of acquiring that knowledge of arms which a free people should possess, and worthy to be well maintained and provided with every reasonable facility for improvement.

An addition has been made to the Cadet organizations by the formation of a company from the boys of the high school at Augusta. It was a wise act on the part of the State to authorize the formation of these companies and the issue of arms to them. Restricted to the students of colleges and high schools, as it has been deemed advisable they should be, they serve a double purpose as auxiliaries of school instruction, by promoting physical strength and manly bearing, and the good habits of attention and prompt obedience, and also as a means of extending and diffusing a knowledge of the military art.

Several cadet companies were present during the encampment, in response to the conditional invitation extended to all of them, that the State should be at no other expense on their account than that of rations, and received justly earned praise for their good conduct and their skill in the exercises of the drill.

The Adjutant General was authorized by a resolve approved February 23d, 1876, "to collect diaries, or obtain copies of them, letters, personal accounts and incidents of the battlefield, camp and hospital, or any other interesting and valuable material for army history," and to suitably arrange all such matter. The resolve implies an appeal to the soldiers of Maine in the war of the rebellion, and the friends of deceased soldiers to donate to the State any of the specified papers and material they may have. All who respond to the appeal may rest assured that their contributions will be gladly received and sacredly preserved. The literary character of the productions is of little consequence. A few hurried lines written on a scrap of paper on the eve or at the close of a great battle, will be of more interest than the most polished and elaborate article. The history of the volunteers of Maine in the great war is yet to be written, and the materials for it cannot be obtained too soon. Every citizen of the State should take pride in helping to accumulate them.

Eight companies of the Volunteer Militia were by law entitled to new uniforms in 1876. The legislature of that year made an

appropriation of ten thousand dollars, to be expended at the discretion of the Governor and Council, for the purchase of uniforms, or in the repair of the old ones and the necessary expenses of a muster. In the exercise of their discretion the latter alternative was chosen. At the same time the militia law was amended, changing the time of supplying clothing from once in three years to once in five years, reckoning from April first, 1873. Accordingly, twelve companies are to be supplied with clothing this year, and I recommend an appropriation of the amount estimated by the Adjutant General to be necessary for the purpose.

The claim of the State for an allowance by the United States of arms and ordnance stores to the amount of \$13,959 29, which had been pending for several years and awaiting satisfactory proof of the proper disposition of the arms and stores which had been issued to the State, has been substantiated by the required evidence and the amount has been placed to the credit of the State.

The Adjutant General, acting as Quartermaster General, has been instructed to call in, for sale or for storage, as may be deemed best, the large amount of military property in the hands of citizens, where it is of no use to the State and liable to deterioration and loss. All persons responsible for such property have been or will be required to return it, or account for it satisfactorily.

The State exercises a just beneficence, and honors itself in bestowing aid on those soldiers who have been incapacitated by disabilities incurred in its service from supporting themselves by their own labor, and on the dependent relatives of the fallen.

The appropriation for pensions last year was twenty-five thousand dollars, and was nearly if not entirely exhausted by the applications that were allowed. The number of applications made and the number granted were each slightly in excess of the corresponding number in the preceding year. There is every reason to infer that the applications the present year will be as numerous and deserving as in the year past, and I therefore recommend the appropriation of the customary amount for pensions.

#### OFFICE OF ATTORNEY GENERAL.

The Attorney General reports that the suit brought by him in 1876, for the recovery of the State tax assessed upon the Maine Central Railroad Company for 1875, and argued upon an agreed

statement of facts before the Supreme Judicial Court of the State, has been decided in favor of the State by that court, and that the cause has been carried by the company to the Supreme Court of the United States on a writ of error. The case cannot be reached, if the regular order of the docket be observed, in less than two years. Under a statute of the United States permitting the preferment on the docket of a case to which a State is a party, upon showing sufficient reason, motion has been entered and argued for an earlier hearing and the counsel for the company has expressed his willingness that it should be had. The motion now awaits the action of the court. It is plain that the Attorney General has done all in his power to bring this suit to an end, and that the counsel for the company has generously seconded his efforts.

Actions have been brought against the Atlantic and St. Lawrence and the Newport and Dexter railroad companies to recover the arrearages of the State taxes assessed them, and it is presumed that both cases will be argued and determined at the next law term.

Three trials for murder have occurred within the year. Ianthe Morgan and her sister, Mrs. Sophronia J. Libby, were found guilty of murder in the second degree for taking the life of the infant child of Ianthe Morgan, and sentenced to imprisonment for life. Isaac N. Cox, fourteen years of age, was found guilty of manslaughter for killing his father, and sentenced to six years imprisonment. Edward M. Smith was found guilty of murder in the first degree for the murder of Melissa T. Thayer at Bucksport in October, 1876. In the latter case a motion in arrest of judgment was argued at the June law term, and the decision has not yet been rendered.

In the two cases first mentioned the character and condition of the guilty persons and the circumstances attending their acts were such that indignation must be tempered with pity in the minds of all acquainted with the facts. The murder at Bucksport was undoubtedly an act of unrelieved atrocity. I will not undertake to discuss the relations of the law abolishing the death penalty to crime, but I desire simply to express anew my firm belief in the humanity and wisdom of that law. Since the passage of the law there has been but a single instance of conviction of crime in which the penalty is affected by it.

The recommendations of the Attorney General are entitled to

your consideration as the results of the experience of an officer whose connection with the subjects to which he refers, gives him the best claim to be heard. I am compelled, however, with great deference to his opinion, to withhold my approval of his proposition to do away with coroner's inquests, and to substitute therefor some other mode of investigation. In addition to the primary functions which the coroner's inquest performs in ascertaining the guilty and causing their immediate apprehension, and, incidentally, in exonerating those upon whom suspicion is cast by the community, the spectacle of a public, formal and instant inquiry into the manner of a death supposed to have been caused by violence, exercises a most salutary moral influence. It affords palpable evidence of the care of the State for the lives of its citizens and of the promptness and zeal with which it seeks to discover and punish the guilty, and tends thus to heighten respect for human life and to deter from the crime of taking it. The Attorney General also refers to the great cost of "expert testimony" in criminal trials, and raises the question whether economy and the purpose for which such testimony is given, cannot both be subserved by providing by law for the impartial selection of a single expert witness in any trial where the testimony of a witness of that character is desirable. It is for you to consider whether such a limitation is expedient and in accordance with the liberal spirit of the constitution towards the accused.

#### THE LAND OFFICE.

The Land Agent paid into the treasury for the year ending November 30, 1877, on account of permanent school fund \$8,800.52, on general account \$6,800.46, on account of reserved lands \$503.76. During the same period 20,300.66 acres of land were conveyed, 11,970.41 acres were contracted to settlers, and seventy-seven islands sold by him. The number of acres under contract to actual settlers at the close of the year was 112,805.04. The number of acres of settling lands remaining unsold was 19,567.39.

The original plans and field notes of early surveys of various portions of the State, for many of which the State is greatly indebted to Hon. A. W. Paine, who obtained them from the State officials of Massachusetts, have been carefully mounted and sub-

stantially bound in volumes so indexed as to make their contents readily accessible. These plans have great historical value and interest, and are of permanent practical use in determining questions of title and preventing litigation. It is a matter for congratulation that they have been rescued from destruction and oblivion, and put in order for preservation and reference. The Land Agent has employed no clerical aid the past year. By direction of the Governor and Council he engaged a gentleman, skilled in this specialty, to assist him in mounting and preparing the plans and field notes for binding, and he had the services of the messenger of the Governor and Council from time to time. The duties devolving upon the Land Agent are still many, multifarious and difficult, and will undoubtedly remain so for some years. It is probable, however, that they would continue to be well discharged and that a saving of expense to the State would be secured in process of time, if not immediately, if the office should be abolished as a separate department and its duties imposed on some constitutional officer of the State. It has been the object of the legislature for some years to effect this consummation at the earliest practicable moment, and the efforts of the executive department have been steadily directed towards hastening it. If it be your pleasure to discontinue this office, I respectfully suggest that the Secretary of State appears to be the proper officer to be invested with authority to conduct its business. That officer is required by the constitution to perform any duty that may be imposed on him by law, and he may therefore be required to perform that duty. If the other business of the land agency could now be brought to a close, the custody of the records would devolve by right on the Secretary as the constituted guardian of the records of the State. His appointment at the present time would therefore be in part but the anticipation of a result which would be reached in the ordinary course a few years hence. If you should adopt this suggestion and merge the land agency in the office of the Secretary of State, an additional clerk would be required by that office for the present year at least.

It has been an important part of the business of the Land Office for many years to attend to the obligations imposed upon the State by the treaty of Washington, in regard to settlers on the disputed territory. The Legislature of last year referred the question of the duty of the State towards settlers whose claims have not been

quieted, to the Attorney General for investigation, with direction to report to the present Legislature.

#### SAVINGS BANKS.

It appears by the report of the Bank Examiner that the number of savings banks in the State remains the same as last year. Of the sixty-four banks in existence at the beginning of the year, four were then in process of closing their affairs and are now in the hands of receivers; three others that had been reported insolvent have since been reinstated by the court. But one bank has been discovered to be insolvent the past year, and that to a comparatively slight extent, so that it will undoubtedly be authorized to reduce its credits to depositors to a sufficient amount to balance the shrinkage in value of its investments, and continue business.

The deposits of the sixty banks in operation on the fifth day of November last amounted to \$25,092,872.65. The total decrease of their deposits the past year was \$1,633,298.07, and was caused to a large extent by the withdrawal of deposits of over \$2,000.00, upon which the payment of dividends is prohibited by the new law. Other depositors of large sums were no doubt induced, by the limitation of dividends to two and a half per cent. semi-annually, to withdraw their deposits and seek more profitable investments elsewhere. These facts should not be left out of sight in accounting for the decrease. The law has virtually compelled and induced the withdrawal of a class of deposits which has no claim to the protection of the savings bank.

The year has been so unfavorable to the depositors of small amounts, the surplus earnings of their labor, that so far from adding to their deposits they have been obliged by the hardships of the time to consume the accumulations of former years. The decrease of deposits in periods of stagnation in business and inactivity in those pursuits upon which labor is dependent, indicates clearly that savings banks are confined to their legitimate objects, and, as the Examiner justly remarks, illustrates their beneficent office more vividly than the increment in prosperous days.

The sound condition of the banks manifested by their detailed statements, the increasing care exercised by them in the choice of investments, and the immunity from "runs" they have enjoyed at a time of popular distrust of these institutions throughout the

country, demonstrate that they have been ably and faithfully managed, and are eminently worthy of the confidence reposed in them. Even the reverses they have sustained have turned to a profitable account in stimulating to a heightened vigilance and caution, thus affording an additional guaranty of their trustworthiness and stability.

The act of last year revising and consolidating the laws relating to Savings Banks and Institutions for Savings, meets with general approval. Although the act was carefully drawn and considered, it is not to be wondered at if experience has disclosed the propriety of amending it in some particulars. I concur in the recommendations of the Examiner, in respect to amendments, with the exception of those proposing that the required reserve be increased to ten per cent., and that the State tax on deposits be reduced. I am not aware of any reasons that can be urged for the proposed alteration of these important features of this law, that were not in existence and did not receive due consideration when the law was made.

I also recommend that section 35, of the act relating to Savings Banks, approved February 9th, 1877, be so amended as to super-add to the powers thereby conferred on the justices of the supreme judicial court, authority to dissolve attachments and to fix a limit of time for the presentation of claims to the receivers. It is not clear that such authority is included in the general powers with which the justices are invested by the section referred to.

#### THE SCHOOLS.

One of the first and most conclusive tests that are applied to a State to determine its general quality and the degree of progress it has arrived at,—is the inquiry into the measures it adopts to promote and diffuse education, and the amount of the public contribution towards the support of schools. The wise and liberal policy pursued by our own State may well cause the test to be invited rather than avoided.

Leaving the management and control of the schools to their respective communities, the State yet exercises a strengthening and healthful influence upon them in many ways. Even by the simple and just requirement of vouchers for the lawful use of the aid it supplies, it incidentally produces an important and bene-

ficial effect in that it compels care, method and accountability in the conduct of the affairs relating to schools. A wide and legitimate field of usefulness is before it in providing for a better quality of instruction. The fact has long been apparent to all conversant with the subject, that the difficulty of procuring competent teachers is the chief hinderance to the improvement of the common schools. The State has attempted to meet the want by the institution of two normal schools for training teachers; but their inadequacy is evident when their capacity is compared with the army of teachers required. The Superintendent of Common Schools advocates, as an expedient for ensueing the employment of a better class of teachers, the establishment by law of boards of examination in each county, whose certificate shall be indispensable to every teacher. He proposes that the members of the several boards shall be appointed by the Governor and Council, and shall not be entitled to compensation from the State, but shall be authorized to exact in return for their services, the payment of a small fee by each person examined as to his qualifications for a teacher. Well-qualified teachers would gladly hail the opportunity to procure credentials from such a body, and municipal officers would welcome a device that would lessen the risk of employing incompetent instructors.

The Superintendent also recommends the holding of Normal Institutes at convenient places, to continue not less than four weeks each. The Teachers' Institutes of former years held sessions of such brief duration that they could do little more than inspire their attendants with the desire to fit themselves more thoroughly for the profession of teaching. Normal Institutes, conducted according to the plan suggested, would not only awaken the desire for improvement, but supply the means of gratifying it. Their estimated annual cost is two thousand dollars. Both the County Boards of Examination and the Normal Institutes seem eminently worthy of adoption as instrumentalities for remedying an evil that seriously affects the character of our schools.

The present plan of distributing the moneys contributed by the State towards the support of schools according to the number of scholars in each city, town or plantation—is just in principle, but has no other recommendation. The Superintendent has made calculations to test the question in all its bearings, and has

reached the conclusion, that an apportionment on the basis of the aggregate number of days attendance would be as just as the method now in force, and would be an improvement on the present system, inasmuch as it would induce a fuller attendance. The prospect of accomplishing such a result by so slight a modification of the law, warrants the change, if only as a matter of experiment.

The Free High Schools were about the same in number the past, as in the preceding year. It is not probable that any increase of the appropriation for them will be necessary. I am still of the opinion expressed by me on a former occasion, that the State should exercise some supervision over these schools by means of agents appointed by the State Superintendent to inspect them. The High Schools would be benefited no less than those of lower grade by the elimination of incompetent teachers that would be effected by the proposed county board of examination.

The Eastern Normal School and the Western Normal School are both in a prosperous condition and are doing good service to the State. An annual appropriation of fifteen thousand dollars from the school fund has been made for their support. An inspection of the Eastern Normal School building by a competent architect at the instance of the trustees, has led to the making of repairs on the building, and the strengthening of some portions of it. The balance remaining from the last appropriation will probably defray the expenses of the work.

#### THE INSANE HOSPITAL.

The reports of the trustees and officers of the Insane Hospital give a highly gratifying statement of the affairs of that institution. I am confident that the Superintendent is amply justified in the declaration he makes that "at no period since the institution was open for the reception of patients has it been in a more prosperous and satisfactory condition than at the present time." It contained four hundred and five patients at the commencement of the year. One hundred and ninety-four were admitted during the year, and one hundred and eighty-three discharged. The daily average number of inmates was a fraction over four hundred and eleven, thirteen in excess of the average of the preceding year. Seventy-two of those discharged are reported as recovered.

The value of the hospital property has been greatly increased, and the capacity of the institution for usefulness, judiciously promoted by the many improvements made the past year. The water-works have been thoroughly completed, the main building has been provided with an approved system of flues for ventilation, and the laundry has been rebuilt and refurnished. The entire cost of these improvements, including the construction of the water-works in 1876, was \$22,620.23, all of which has been paid from the income of the hospital. The farm has been improved by laying underdrains and making roads, and the grounds around the main building have been graded. The productiveness of the farm has been largely augmented within a few years, and the entire estate is in the way to reach the highest possible state of cultivation and profitability.

The price of board has been reduced by the trustees from \$4.00 to \$3.75 per week. It is believed that this reduced rate will support the hospital without lowering the dietary of the patients, or trenching in any degree upon their customary comforts and privileges, and leave a sufficient balance, with the funds now on hand, to make such improvements as are now and may be from time to time required.

I am constrained to invite your attention to the necessity which I believe exists for another hospital for the insane. You will perceive by the tabulated history of the hospital contained in the Superintendent's report, that the daily average number of patients leaped from one hundred and sixty-seven in the year 1855-6 to two hundred and four the following year, and that from that time it has steadily increased from year to year, almost without exception, until it reached four hundred and eleven the past year, more than double the daily average number of twenty years ago, and the highest in the history of the institution. While this marked increase in the number of the insane admitted to the hospital has been going on, the population of the State has remained without material change. Although, as the trustees inform you, no applications for admission have been denied, it is evident that the capacity of the hospital has been continually strained to the utmost to meet the demands upon it, notwithstanding the care taken to comply with the restrictions of the law in regard to the class of patients entitled to admission and treatment. It is the opinion of good authority that the maximum number of patients that can be

well cared for in an institution of this kind, and under one supervision, is four hundred, and that it is desirable in every respect that the number should not exceed three hundred and fifty.

Be that as it may, our hospital has reached the limit of its accommodations, and it behooves the State to anticipate the time when the need of another institution will become too pressing to be denied. The present number of patients has been reached by such gradual approaches as to leave no room for the argument that it is due to temporary and exceptional causes. Even allowing that it represents the full probable proportion requiring treatment for mental disorder, it still remains necessary to provide for the proportion due to the natural increase of the population of the State. Besides, experience may prove that the law of 1874, requiring the discharge of idiotic and incurable inmates who may, in the judgment of the Superintendent, be discharged with safety to themselves and the public, has caused the discharge of some who ought to have been retained.

The Superintendent may be under the necessity of advising discharges, about the propriety of which he has misgivings, in order to make room for more pressing cases. Furthermore, I venture to express my opinion that considerations of economy and philanthropy impose upon the State the duty of supporting in part, at least, and under its own supervision, the class of unfortunates which it now excludes from the hospital.

#### THE STATE PRISON.

On the thirtieth day of November, 1876, the State Prison contained one hundred and seventy-one convicts. The prediction of the Warden that the number would be increased to two hundred at the corresponding date of the following year, has been more than verified. On the thirtieth day of November last the number of convicts was two hundred and seven. The event amply justifies the action of the legislature of last year in making an appropriation for the enlargement of the main building of the prison. The extension was indispensably necessary to relieve the overcrowded condition of the prison and ensure the safe keeping of criminals. It has been built in a thorough manner, and is now completed with the exception that about one-half the cells have not been provided with doors. It contains sixty-two cells, thirty

of which are already occupied. The State Prison now affords ample accommodations for two hundred and fifty convicts; and in plan and appointments leaves nothing to be desired. It is to be hoped, on all accounts, that its capacity will suffice for many years. At the close of the present year it has been estimated that there will be two hundred and twenty-one criminals within its walls. This estimate is based upon the presumption that the number of commitments the present year will be the same as last year, and that sixty prisoners will be discharged during the year. Thirty-eight prisoners were discharged last year; forty-three the year before. If the commitments do not exceed the estimate, the number of prisoners will begin to diminish after this year. The statistics of the prison and jails show a lessening tendency to crimes of the worst kinds. Of the sixty-four persons received by the prison in 1876, twenty-three were under sentence for crimes against the person. Of the seventy-four received in 1877, but fourteen were sentenced for such crimes. Four more persons were in the confinement of the jails at the close than at the beginning of the year. I have not had an opportunity to refer to the statistics which the Attorney General's report undoubtedly contains, but I am confident that an examination of them will disclose the fact that the number of persons in jails would have diminished largely during the year, but for the increased number of commitments for violation of the laws in regard to the sale of intoxicating liquors, consequent upon the heightened stringency of those laws effected by the amendatory act of last year.

The officers of the prison find themselves again obliged to ask the State to supply the financial deficiencies of the institution. The appropriation of fifteen thousand dollars for the extension was found insufficient, although the materials for the building were purchased at very low rates and the work was carried on in the most prudent manner. The deficiency on this account, and the cost of ordinary repairs of the buildings, amount to four thousand and four hundred dollars. The deficiency on the general account is nine thousand eight hundred and ten dollars. The income from the sale of manufactured articles and from other sources has failed by that amount to meet the expenses of the institution. A part of the deficiency is due to the decrease in value of the articles on hand at the close of the year. In some respects the business of the year was very successful. The sales

of carriages amounted to forty-seven thousand and seven hundred dollars, an increase of twelve thousand eight hundred and thirty-five dollars over the sales of the previous year. The sales of harnesses amounted to eleven thousand dollars, six thousand dollars of which amount were for sales without the State. The officers of the prison have taken no unusual measures to effect sales, and have had no exceptional advantages therefor over former years. It may, consequently, be fairly inferred from their success—and the inference is a highly acceptable one—that a general revival of business has begun to manifest itself. When the conditions affecting business everywhere, the peculiar advantages which a prison necessarily labors under in conducting a manufacturing business, and the benefit to the State which does not appear in the balance sheet, are all taken into consideration, the exhibit made by the prison is a satisfactory one. The manufacture of harnesses proves to be so profitable and is so valuable a trade to be taught prisoners, that it is proposed to extend it. In order to do so, the building in which it is conducted will have to be enlarged, and it is estimated that the sum of two thousand dollars will be required for the purpose. I commend the proposition to your favorable notice.

#### THE REFORM SCHOOL.

This is a well conducted institution, and accomplishes the purpose to which it is devoted as fully as could reasonably be expected. If there is any degree of failure to reform vicious boys, it is due to the system and not to the school. The boys are so classified as to protect the well-disposed as far as possible from those whose influence is evil, and a kindly spirit is shown in the treatment of all of them. The school has one hundred and forty-seven boys in charge. An appropriation of fifteen thousand dollars was made for it last year; thirteen thousand dollars for ordinary expenses and two thousand dollars for painting the exterior of the building. It is advisable that there should be a small amount appropriated by you to fit a large unoccupied room in the basement for a workshop, to take the place of the badly lighted room now in use.

## CHARITABLE INSTITUTIONS.

The Maine General Hospital was assisted at its foundation by the bounty of the State, and annually since has been the recipient of a contribution towards its support from the public treasury. It is a noble charity, and the State will do well in continuing to uphold it.

The Military and Naval Orphan Asylum at Bath and the Industrial School for Girls at Hallowell, are both meritorious institutions, entitled to receive aid for the service they do the State.

The State has paid for the year just elapsed \$8,217.23 towards the support of forty-two pupils at the American Asylum, Hartford; of thirteen pupils at the Perkins Institute for the Blind, at South Boston, \$3,625.00; of two pupils at the Clarke Institute, Northampton, \$425.00, and \$481.75 for the tuition of ten pupils at the School for Deaf Mutes recently established at Portland.

## MAINE STATE COLLEGE OF AGRICULTURE AND THE MECHANIC ARTS.

The sum of fifteen thousand two hundred and eighteen dollars was appropriated last year "for the purpose of paying existing debts, for instruction, building farm-house and contingent expenses" of this institution, "the same is to be in full for any and all expenditures by the State, on account of said college, for the current year." There can be, therefore, no deficiency for the year which the State can be properly called upon to meet.

The college has one hundred and eighteen students, fifty-eight of whom were admitted to the several classes in the course of the year. It is doing as good service to the State as the facilities at command enable it to do. I repeat to you the recommendation made by me to the fifty-sixth Legislature, for the establishment of work-shops at the college, on what is known as "the Russian plan." I regard that system as affording the best, if not the only means for giving to instruction in the mechanic arts, that practical character which was in view at the foundation of the college. The system has been well tested in this country, and receives the heartiest commendation from all who have seen it in operation and know what can be accomplished by it. I trust that an opportunity may be offered you sometime in the course of the session to become fully acquainted with the methods and details of the system.

## THE FISHERIES.

Among the most important subjects that will engage your attention, is that of the protection of fish and game. The Legislature of last year authorized by a resolve the appointment of a commission, to consist of five persons, "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 fishways 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 result of the labors of the commission appointed under the resolve, will be presented to you.

The belief that the prosperity of the State does not lie in the concentration of the energies of its people on special pursuits and industries, but in the multiplication of channels for their employment, and in the utilization of every advantage, has been gaining ground of late years and is very general and earnest. As an outgrowth, in part, of this sentiment, a strong desire prevails throughout the State for the adequate protection by law of our food fishes and game, and the encouragement of their increase. The code of laws prepared and submitted to you by a commission representing knowledge of the law, and a thorough acquaintance with the subjects referred to it, affords a basis of action and will greatly assist your labors. Every influence and condition seems to favor the enactment of a judicious and comprehensive law that will effectually guard and foster an important public interest.

The duty to profit by every occasion to develop and strengthen any available resource of the State, is at all times incumbent upon those who make and execute its laws, and becomes specially urgent when the facilities and industries on which its people have relied, prove insufficient for their needs. It has been justly reckoned first among the positive functions of government to make the means of subsistence more easy and more sure to each individual. The American system of protection to home industries is a notable instance of the recognition of this obligation. Our State has not always been properly heedful of its duty in this respect. Among its shortcomings it has unwisely tolerated the practical annihilation of its river fisheries, and by consequence,

the serious injury of the deep sea fisheries of the coast; for, we are informed by the best authority, the number of food fishes which inhabit the waters of our shores is proportionate to the quantity of subsistence afforded them by the migratory fishes on their way to and from the mouths of our rivers. The obstructions in the rivers therefore serve to deprive the dwellers on the seaboard of the bounty which nature bestows on them, as well as to intercept her gifts to the inhabitants of the interior.

A few years ago the State undertook to rectify the mistake which had been committed in leaving the fisheries uncared for. The annual report of the Commissioners of Fisheries which will be presented to you, is numbered the eleventh. As the immediate and tangible result of their labors and expenditures during the indicated period, the Commissioners refer to the unusual productiveness the past season of the fisheries of those rivers which had been restocked by them and provided with suitable fishways. Prospectively the benefit to the fisheries will be permanent if the present conditions of unobstructed way and needed protection shall be continued. An important branch of this service has been the introduction of the Sebago salmon and the black bass into many lakes and ponds in different sections of the State. The Commissioners earnestly advise all who are pecuniarily or otherwise interested in maintaining the attractiveness of the lakes which have become popular resorts for fishing, to follow a good example and take the necessary measures for supplying the waters of their respective localities with an abundance of fish. Their advice is worthy of the attention of those concerned.

I respectfully recommend the usual appropriation for salaries of the Commissioners and wardens, and a reasonable appropriation for the propagation of fish, to be expended under the direction of the Commissioners.

#### THE INDIAN TRIBES.

The recommendations of the Agent of the Penobscot tribe of Indians, that authority be granted for leasing the shores belonging to the tribe for a shorter term than five years, on the expiration of the present leases; that the public farm on Orson island be allotted for tillage to members of the tribe, and that the small unexpended balance of the income of trust funds be applied to repairing the Chapel—all have my approval.

The Agent, in behalf of his charge, protests against charging the income of the property of the tribe with expenses which the treaty stipulations bind the State to pay. The State should faithfully observe all the obligations imposed by the treaty, and not confound justice with charity.

The Agent of the Passamaquoddy tribe has been obliged to expend four hundred dollars more for the support of the poor of the tribe than the amount of appropriation for that purpose, which was sixteen hundred dollars. I recommend his reimbursement and the appropriation of at least two thousand dollars for the relief of the poor of the tribe for the current year. The reasons for the slight increase recommended, are obvious. The tribe numbers nearly six hundred members. Thirty-three of the number are widows, several of whom are entirely dependent on the poor fund. Improvidence is a well-known characteristic of the race. The employments upon which many of them have relied, are denied them in consequence of the stagnation of business. There is little sale for the wares they manufacture. Sickness prevails among them to a great extent, incapacitating not only the sufferers but the friends attending them, from doing anything to earn a subsistence. The Agent has exercised the utmost frugality consistent with humanity, in the expenditures he has made the past year for the benefit of the destitute and suffering, and it is fair to presume his outlay to be the measure of the appropriation required for the support of the poor of the tribe this year.

It is an encouraging indication of their advancement that both tribes gave more attention than usual to the cultivation of the soil last season, and raised very good crops.

#### STATE COMMISSIONERS.

The reports of the Railroad Commissioners and the Insurance Commissioner will be laid before you. I have no comment to make in regard to them. Both offices are of great utility. The Commissioners of Pharmacy, appointed under an "act to prevent incompetent persons from conducting the business of apothecaries," make their first annual report. The law is regarded by them as generally satisfactory and effective.

## INTERNATIONAL PRISON CONGRESS.

I have the honor to communicate to you the invitation extended to the State, by the President of the Commission, to furnish a representative to the International Prison Congress which has been convoked at Stockholm, in August next. The declared object of the Congress is to study "how to reduce crime to a minimum, by saving the young from a first fall, and by bringing the fallen to a better mind and a better life."

The prevention of crime and the punishment and reformation of criminals are questions which most nearly and urgently concern the State. A due regard for the public well-being, and that ever progressive spirit of humanity which characterizes a Christian people, compel attention to them and demand that there shall be constant and patient endeavor to discover and remove the causes of the crimes that afflict society, and to combine the punishment of wrong-doers with all consistent encouragement of their better impulses. It is reasonable to expect that the interchange of information and opinions this Congress will call forth, will be productive of results from which the whole civilized world may profit.

I recommend, therefore, as an act of comity, and in order that the State may bear a part in an undertaking for the common good, that you make provision for the appointment of a delegate to the Congress.

## ANTIETAM NATIONAL CEMETERY.

The Congress of the United States, by act of March 2, 1877, authorized the Secretary of War to pay the outstanding indebtedness of the Board of Trustees of the Antietam National Cemetery, and appropriated money therefor, adding a proviso that payment of such indebtedness shall not be made until the legal title to the property shall be vested in the United States. It appears that the title of this property is vested in the State of Maryland, as Trustee for the several States that contributed towards its establishment and maintenance, and before the title thereto can be transferred to the United States the consent of those several States to such transfer must first be obtained.

The State of Maine is one of the contributing parties, and, at the request of the Secretary of War, I call your attention to this matter, and recommend that you authorize the State of Maryland to convey to the United States the interest of this State in the land occupied by the Antietam National Cemetery.

## STATUE OF GENERAL WILLIAM KING.

In response to the invitation of Congress to all the States "to provide and furnish statues, in marble or bronze, not exceeding two in number for each State, of deceased persons who have been citizens thereof, and illustrious for their historic renown or for distinguished civic or military services, such as each State may deem worthy of this national commemoration," to be placed, when so furnished, in the old hall of the House of Representatives, in the Capitol of the United States, the Legislature of 1874 authorized the Governor and Council by resolve "to contract with some suitable person, a native of Maine, for a statue of General William King, in marble, to be placed in the national statuary hall at Washington." Pursuant to the resolve a contract was made with Mr. Franklin Simmons to make the statue and place it in position in the hall of its destination, for eight thousand dollars. One-half of that sum has been paid under the terms of the contract. I am informed by Mr. Simmons that he has completed his contract, and I therefore recommend an appropriation for the balance due him.

## GOVERNOR KENT.

On the nineteenth day of May last occurred the death of Edward Kent, who was Governor of this State for the year 1838, and again for the year 1840. It is not my purpose to undertake to pronounce his eulogy. Worthy tribute to his great services to the State and country in the many honorable trusts which he received from them, has already been paid by friends and associates, who could most fitly estimate their value. Men who enjoyed his companionship through much of his long and beautiful life, have feelingly expressed their love and admiration for him. Their words are inscribed among the public records in perpetual memory of one of the noblest men who ever honored or was honored by the State. But standing here where he has stood, clothed with the authority which he exercised so wisely and beneficially, I feel that I should not suffer to pass unnoticed, with no token of remembrance, the close of a life that was so useful to his State and so dear to his fellow men among whom it was passed.

## CONCLUSION.

Gentlemen, the wish of those among us—and who are not of that number?—who love our State and desire to see it grow rapidly in all that makes a State great and prosperous, is apt to outrun the slow development which circumstances for the time impose upon it, and to become impatient. We should rather take heart and hope from all the gain we see when there is least reason to expect it. Even in these days I think it would appear, if we had the means to accurately know what is going on in all the wide extent of the State, that there is a healthful growth. Our people are more and more inclined to the belief that it is better to stay in the State than to challenge fortune in some far off part of the country—better to seek the sure rewards of the farm than to trust to the uncertainties of the crowded towns for a livelihood.

Why should Maine prefer to call herself a manufacturing State, a lumbering State, a ship-building State, or a granite and ice exporting State, when nature has so well endowed her as an agricultural State? Notwithstanding her thousands of intelligent and skillful farmers, and the invitation her unused and productive soil holds out to the unemployed, the State does not furnish the food which her people consume.

The neglected resources of her lands answer the wondering query why her material progress is not greater. There is no reason why men with stout hearts and strong arms should repine at fortune when the fertile region of Aroostook county offers them a home, an assured livelihood, and all the rewards which follow thrift and energy. The comfortable and attractive homes and rich acres which have there been wrested from the forest in the space of half a score of years by men with little or no capital, are pleasing to look and reflect upon. During the past year the number of immigrants to the county exceeded, according to the best information I have been able to gather, that of any one year for nearly twenty years. I do not expect to hear that any among them who were in downright earnest have regretted the step they have taken. The increase of attention to farming which is apparent in other sections as well as in Aroostook county, is a most encouraging feature of the times. It is good in itself, and promotive of health and activity in other callings. Trade and manufactures will flourish in proportion to the increase of food-products.

Let us indulge the hope that the moral cause which now palsies enterprise and depresses business will in good time be removed. The country has thus far tried to believe that the promise of a definite measure of value by the general government will be fulfilled a year hence. It has understood that measure to be gold, and that the obligations of the government were redeemable and to be redeemed in that coin. It has no sympathy with the proposition to make gold accept silver as an yoke-fellow in unequal and dishonorable partnership. In this case it is indeed true, that "Honor travels in a strait so narrow where one but goes abreast."

But whatever fortunes may be in store for the State, in a material sense, it rests with you, gentlemen, to see to it during your period of service, that the honor of the State remains without reproach, that its people be not unnecessarily burdened, and that just laws prevail. I am one with you in regard for the welfare of the State and in the purpose to serve it faithfully.

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

#### IN SENATE.

On motion by Mr. NEALLEY,

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

A message was received from the House of Representatives, by Mr. Smith, its Clerk, proposing a Convention of both branches of the Legislature, in the Representatives' Hall, forthwith, for the purpose of electing a Secretary of State, Attorney General, Adjutant General, and seven Executive Councillors, and asking the concurrence of the Senate.

On motion by Mr. NEALLEY,

The Senate concurred in the foregoing proposition for a Convention, of which the Secretary informed the House by message.

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

#### IN CONVENTION.

On motion by Mr. PHILLIPS of the Senate,

Messrs. Phillips of Penobscot, Prince of Androscoggin, of the Senate; Messrs. Young of Brunswick, Coombs of Gouldsboro',

Blunt of Skowhegan, Cornish of Winslow and Weymouth of Oldtown, of \* the House, were appointed a Committee to \*20 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.....	153
Necessary for a choice .....	77
Sumner J. Chadbourne has .....	106
Edwin Stone:.....	47

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

On motion by Mr. NEALLEY of the Senate,

Messrs. Nealley of Penobscot, Martin of Knox, of the Senate; Messrs. Hill of Exeter, Lary of Gilead, Smith of Hodgdon, Vickery of Augusta and Woodcock of Princeton, 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 .....	143
Necessary for a choice .....	72
Lucilius A. Emery has.....	98
Sullivan C. Andrews.....	43
Charles Keagan.....	1
Sumner J. Chadbourne.....	1

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

On motion by Mr. BOARDMAN of the Senate,

Messrs. Boardman of Waldo, Ferguson of York, of the Senate; Messrs. Kimball of Bath, Porter of Caribou, Plummer of Lisbon, Smith of Auburn and \* Wadsworth of Gardiner, of \*21 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:

The whole number of votes is.....	140
Necessary for a choice .....	71
Jonathan P. Cilley has .....	95
Samuel D. Leavitt .....	45

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

On motion by Mr. TOLMAN of the Senate,

Messrs. Tolman of Cumberland, Woodward of Lincoln, of the Senate; Messrs. Curran of Calais, Nowland of Ashland, Clay of South Thomaston, Starbird of Fairfield and Lothrop of St. Albans, 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 .....	157
Necessary for a choice .....	79
E. C. Farrington has .....	108
Charles E. Jose .....	109
William F. Garcelon .....	108
R. B. Shepherd .....	108
Andrew Lacy .....	108
Silas C. Hatch .....	108
L. G. Downes .....	108
Charles F. Whitman .....	49
Otis C. Nelson .....	48
Nahum Morrill .....	49
*22 * W. R. G. Estes .....	49
Bailey B. Haskell .....	49
Abner T. Wade .....	49
John F. Lynch .....	49

The report was accepted, and E. C. Farrington, Charles E. Jose, William F. Garcelon, R. B. Shepherd, Andrew Lacy, Silas C. Hatch and L. G. Downes were declared duly elected Executive Councillors for the current political year.

On motion by Mr. IRISH of the Senate,

*Ordered*, That the Secretary of the Convention be 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, and E. C. Farrington, Charles E. Jose, William F. Garcelon, R. B. Shepherd, Andrew Lacy, Silas C. Hatch and L. G. Downes of their election as Executive Councillors.

The Convention then dissolved.

## IN SENATE.

Communications were received from Hons. E. C. Farrington, Charles E. Jose, William F. Garcelon, Andrew Lacy, Silas C. Hatch and L. G. Downes, Executive Councillors elect, signifying their acceptance, which were read and sent down.

On motion by Mr. PHILLIPS,

*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, forthwith, for the purpose of administering to Hons. E. C. Farrington, Charles E. Jose, William F. Garcelon, Andrew Lacy, Silas C. Hatch and L. G. Downes, Councillors elect, the oaths required by \* the Con- \*23 stitution 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 Mr. Smith, its Clerk, informing the Senate of the concurrence 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. PHILLIPS of the Senate,

That Senator was charged with a message notifying Hons. E. C. Farrington, Charles E. Jose, William F. Garcelon, Andrew Lacy, Silas C. Hatch and L. G. Downes, 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.

Mr. Phillips 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, Charles E. Jose, William F. Garcelon, Andrew Lacy, Silas C. Hatch and L. G. Downes, 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.

\*24 \*The Councillors then retired.

On motion by Mr. BRAGDON of the Senate,

*Ordered*, That a message be sent to the Governor, by the Secretary, informing him of the election and qualification of Hons. E. C. Farrington, Charles E. Jose, William F. Garcelon, Andrew Lacy, Silas C. Hatch and L. G. Downes as Executive Councillors for the current political year.

The Secretary conveyed the message.

The Convention then dissolved.

#### IN SENATE.

On motion by Mr. TOLMAN,

*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. Tolman of Cumberland, Bartlett of Somerset and Nash of Washington, were appointed on the part of the Senate.

Sent down for concurrence.

Order from the House :

The Senate concurring, that when the House adjourns it be to meet on Tuesday next at four o'clock P. M., was read and passed in concurrence.

On motion by Mr. TOLMAN, at 23 minutes past 1 o'clock P. M.

The Senate adjourned.

\* TUESDAY, JANUARY 8, 1878. \*25

Senate met according to adjournment.

Prayer by Rev. Mr. ECoB of Augusta.

The Journal of Thursday was read.

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. Stevens of Kennebec,  
Haynes of Kennebec,  
Davis of Penobscot, *of the Senate* ;  
Messrs. Bliss of Washington,  
Murray of Pembroke,  
Drinkwater of Ellsworth,  
Pierce of Portland,  
Curran of Calais,  
Siders of North Yarmouth,  
Moulton of Scarboro', *of the House.*

*On Legal Affairs.*

Messrs. Morrison of Franklin,  
Phillips of Penobscot,  
(Vacancy,) *of the Senate* ;  
Messrs. Webb of Windham,  
Weeks of Augusta,  
Kimball of Waterford,  
Briggs of Auburn,  
Partridge of Whitefield,  
Parlin of Anson,  
Moore of Thomaston, *of the House.*

*On Financial Affairs.*

Messrs. Bailey of Cumberland,  
Rogers of Sagadahoc,  
Bartlett of Somerset, *of the Senate*;

Messrs. Bowers of Saco,  
Bodwell of Hallowell,  
Adams of Deering,

\*26

\* Strickland of Bangor,  
Bird of Rockland,  
Young of Brunswick,  
Smith of Waterville, *of the House*.

*On Federal Relations.*

Messrs. Grindle of Hancock,  
Hobson of York,  
Phillips of Penobscot, *of the Senate*;

Messrs. Hill of Bucksport,  
Winslow of Portland,  
Pratt of Guilford,  
Wilson of Bowdoin,  
Sherman of Liberty,  
Hatch of Wells,  
Pickett of Cape Elizabeth, *of the House*.

*On Education.*

Messrs. Phillips of Penobscot,  
Bragdon of Hancock,  
Ferguson of York, *of the Senate*;

Messrs. Weeks of Augusta,  
Pilsbury of Lewiston,  
Hill of Exeter,  
Cornish of Winslow,  
Mayo of Eden,  
Parlin of Anson,  
Kimball of Waterford, *of the House*.

*On Railroads.*

- Messrs. Davis of Cumberland,  
Nash of Washington,  
Nealley of Penobscot, *of the Senate* ;
- Messrs. Robie of Gorham,  
Blunt of Skowhegan,  
Strickland of Bangor,  
Woods of Belfast,  
Bearce of Minot,  
Richardson of Portland,  
Lothrop of St. Albans, *of the House*.

*On Commerce.*

- Messrs. Nash of Washington,  
Rogers of Sagadahoc,  
Woodward of Lincoln, *of the Senate* ;
- Messrs. Winslow of Portland,  
Crandon of Columbia Falls,  
Coombs of Gouldsboro',  
York of Nobleboro',  
Hinckley of Surry,  
Coffin of Harrington,  
Norwood of Camden, *of the House*.

*On Mercantile Affairs and Insurance.*

- Messrs. Nealley of Penobscot,  
Boardman of Waldo,  
Moody of York, *of the Senate* ;
- Messrs. Buck of Orland,  
McLaughlin of Portland,  
Jones of Lewiston,  
Robie of Gorham,  
Wadsworth of Gardiner,  
Brackett of Cornish,  
Underwood of Fayette, *of the House*.

*On Banks and Banking.*

- Messrs. Rogers of Sagadahoc,  
Hobson of York,  
\*27        \* Bailey of Cumberland, *of the Senate* ;  
Messrs. Pillsbury of Lewiston,  
Hill of Bucksport,  
Vickery of Augusta,  
True of Paris,  
Talbot of East Machias,  
Richardson of Portland,  
Moore of Biddeford, *of the House*.

*On Manufactures.*

- Messrs. Hobson of York,  
Tolman of Cumberland,  
Cobb of Androscoggin, *of the Senate* ;  
Messrs. Bodwell of Hallowell,  
Jones of Lewiston,  
Wadsworth of Gardiner,  
Taylor of Bridgton,  
Davis of Freeport,  
Caswell of Harrison,  
Davis of Jackson, *of the House*.

*On Agriculture.*

- Messrs. Prince of Androscoggin,  
Drake of Penobscot,  
Learned of Waldo, *of the Senate* ;  
Messrs. Parkhurst of Maysville,  
Phinney of Jay,  
Faught of Belgrade,  
Chapman of Orrington,  
Eaton of East Livermore,  
Cole of Dayton,  
Wilson of Raymond, *of the House*.

*On Military Affairs.*

- Messrs. Sumner of Washington,  
 Martin of Knox,  
 Morrison of Frankiin, *of the Senate*;  
 Messrs. Browne of Bowdoinham,  
 Nowland of Ashland,  
 Porter of Burlington,  
 Coffin of Shapleigh,  
 Lancaster of Wiscasset,  
 Fisher of Winterport,  
 Simpson of Searsport, *of the House*.

*On Interior Waters.*

- Messrs. Boardman of Waldo,  
 Tolman of Cumberland,  
 Totman of Somerset, *of the Senate*;  
 Messrs. Cutler of Bangor,  
 Crandon of Columbia Falls,  
 Starbird of Fairfield,  
 Fuller of Canton,  
 Smith of Waterboro',  
 Weed of Veazie,  
 Cyr of Grand Isle, *of the House*.

*On State Lands and State Roads.*

- Messrs. (Vacancy,  
 Boardman of Waldo,  
 \* Nealley of Penobscot, *of the Senate*;  
 Messrs. Woodbury of Houlton,  
 Phinney of Jay,  
 Porter of Burlington,  
 Jackson of Knox,  
 Smith of Hodgdon,  
 Cutler of Bangor,  
 Ham of The Forks, *of the House*.

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*On Ways and Bridges.*

- Messrs. Moulton of Oxford,  
Bragdon of Hancock,  
Totman of Somerset, *of the Senate* ;  
Messrs. Blunt of Skowhegan,  
Browne of Bowdoinham,  
Lincoln of Corinna,  
Crosby of Albion,  
Bowker of Phipsburg,  
Dickey of Fort Kent,  
Dore of Athens, *of the House*.

*On Fisheries.*

- Messrs. Irish of Oxford,  
Cobb of Androscoggin,  
Davis of Cumberland, *of the Senate* ;  
Messrs. Kimball of Bath,  
Lord of Kennebunk,  
Weymouth of Oldtown,  
Robbins of Eastport,  
Lord of Charleston,  
McCobb of Boothbay,  
Norris of Damariscotta, *of the House*.

*On Counties.*

- Messrs. Bartlett of Somerset,  
Sumner of Washington,  
Prince of Androscoggin, *of the Senate* ;  
Messrs. Morrill of Sebec,  
Garcelon of Lewiston,  
White of Levant,  
Boody of Westbrook,  
Higgins of Kenduskeag,  
True of Falmouth,  
Knight of Lincolnville, *of the House*.

*On Towns.*

- Messrs. Hassell of Piscataquis,  
Irish of Oxford,  
Learned of Waldo, *of the Senate* ;
- Messrs. Lary of Gilead,  
Boothby of Livermore,  
Sawyer of Baldwin,  
Clay of South Thomaston,  
Purinton of Limington,  
Morrill of Glenburn,  
Andrews of Marion, *of the House.*

*On Indian Affairs.*

- Messrs. Drake of Penobscot,  
Ferguson of York,  
Sumner of Washington, *of the Senate* ;
- Messrs. Lord of Kennebunk,  
Murray of Pembroke,  
Weymouth of \* Oldtown, \*29  
Cain of Palermo,  
Piper of Lincoln,  
Woodcock of Princeton,  
Bradbury of Salem, *of the House.*

*On Claims.*

- Messrs. Learned of Waldo,  
Woodward of Lincoln,  
Hassell of Piscataquis, *of the Senate* ;
- Messrs. Austin of Milford,  
Smith of Hanover,  
Adams of Perkins plantation,  
Stimpson of Windsor,  
Webb of Deer Isle,  
Meserve of Brownfield,  
Orff of Cushing, *of the House.*

*On Pensions.*

- Messrs. Moody of York,  
Moulton of Oxford,  
Nash of Washington, *of the Senate* ;  
Messrs. Howland of Mt. Vernon,  
Moody of Pittston,  
Otis of Otis,  
Dyer of New Sharon,  
Knight of Sweden,  
True of New Gloucester,  
Mitchell of New Portland, *of the House.*

*On Insane Hospital.*

- Messrs. Cobb of Androscoggin,  
Grindle of Hancock,  
Woodward of Lincoln, *of the Senate* ;  
Messrs. Briggs of Auburn,  
Friend of Etna,  
Shapleigh of Kittery,  
Hanson of Lee,  
Leighton of Deblois,  
Dana of Portland,  
Feyler of Waldoboro', *of the House.*

*On Reform School.*

- Messrs. Tolman of Cumberland,  
Moulton of Oxford,  
Morrison of Franklin, *of the Senate* ;  
Messrs. Reynolds of Lubec,  
Porter of Caribou,  
Dyer of Strong,  
Plummer of Lisbon,  
Knight of North Berwick,  
Burgess of Dover,  
Hall of Oxford, *of the House.*

*On State Prison.*

Messrs. Bragdon of Hancock,  
Bailey of Cumberland,  
Irish of Oxford, *of the Senate*;  
Messrs. Allen of Brooklin,  
Smith of Auburn,  
Coburn of Newport,  
Meserve of Hollis,  
Smith of Litchfield,  
Dyer of Palmyra,  
Gerrish of Lebanon, *of the House*.

*\*On Public Buildings.*

\*30

Messrs. Totman of Somerset,  
Martin of Knox,  
Moody of York, *of the Senate*;  
Messrs. Hanson of Lee,  
Dyer of New Sharon,  
Taylor of Biddeford,  
Keating of Warren,  
Shapleigh of Kittery,  
Pratt of Guilford,  
Flynn of South Berwick, *of the House*.

*On Library.*

Messrs. Ferguson of York,  
Haynes of Kennebec,  
Davis of Penobscot, *of the Senate*;  
Messrs. Adams of Deering,  
Young of Brunswick,  
Hill of Exeter,  
Porter of Caribou,  
Lancaster of Wiscasset,  
Pierce of Portland,  
Taylor of Biddeford, *of the House*.

The following communication :

STATE OF MAINE.

EXECUTIVE DEPARTMENT, }  
Augusta, January 8, 1878, }

*To the Senate and House of Representatives :*

I have the honor to transmit herewith the report of the Board of Visitors of the Maine General Hospital.

(Signed)

SELDEN CONNOR.

Was read, and on motion by Mr. NEALLEY,

*Ordered*, That the report lie on the table and be printed.

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

A communication was received from Hon. E. H. Banks, Treasurer of State, transmitting the annual statement and account of the receipts and expenditures of the Treasury for the year \*31 ending December \*31, 1877, which was read, and

On motion by Mr. NASH,

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

Communications were received from the Hon. S. J. Chadbourne, Secretary of State, transmitting the annual reports of the Attorney General, State Reform School, Penobscot Tribe of Indians, Maine Insane Hospital, Commissioners of Fisheries, Maine Industrial School for Girls, Commissioners of Pharmacy, and the American Asylum at Hartford, Connecticut, which were severally read and sent down.

On motion by Mr. DAVIS of Penobscot,

*Ordered*, That the annual report of the Attorney General be referred to the Committee on the Judiciary.

On motion by Mr. BOARDMAN,

*Ordered*, That the annual reports of the State Reform School and the Maine Industrial School for Girls, be referred to the Committee on Reform School.

On motion by Mr. NEALLEY,

*Ordered*, That the annual report of the Agent of the Penobscot Tribe of Indians be referred to the Committee on Indian Affairs.

On motion by Mr. FERGUSON,

*Ordered*, That the annual report of the Maine Insane Hospital be referred to the Committee on Insane Hospital.

On motion by Mr. PHILLIPS,

*Ordered*, That the annual report of the Commissioners of Fisheries be referred to the Committee on Fisheries.

Severally sent down for concurrence.

\* On motion by Mr. NASH,

\*32

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

On motion by Mr. PHILLIPS,

*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. Phillips of Penobscot, Sumner of Washington and Morrison of Franklin, were appointed on the part of the Senate.

Sent down for concurrence.

On motion by Mr. NEALLEY, at 3 o'clock P. M.,

The Senate adjourned.

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WEDNESDAY, JANUARY 9, 1878.

Senate met according to adjournment.

Prayer by Rev. Mr. SARGENT of Augusta.

The Journal of yesterday was read.

Orders from the House :

That the Committee on Legal Affairs inquire into the expediency of a special law for punishment of persons who wilfully and maliciously destroy ice on ponds or rivers ;

\* That all business of the last Legislature referred to this, \*33  
be taken from the files and referred to the appropriate committees.

Were severally read and passed in concurrence.

A communication was received from Hon. S. J. Chadbourne, Secretary of State elect, signifying his acceptance, which was read and sent down.

A communication was received from Hon. S. J. Chadbourne, Secretary of State, transmitting the annual report of the Insurance Commissioner for 1877, which was read and sent down.

On motion by Mr. NEALLEY,

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

Sent down for concurrence.

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

*On Bills in the Second Reading.*

Messrs. Moody of York,  
Moulton of Oxford,  
Sumner of Washington,  
Totman of Somerset,  
Drake of Penobscot,  
Tolman of Cumberland,  
Cobb of Androscoggin,  
Learned of Waldo,  
Grindle of Hancock,  
Woodward of Lincoln,  
Ferguson of York,  
Rogers of Sagadahoc.

*On Engrossed Bills.*

Messrs. Martin of Knox,  
Nash of Washington,  
Bragdon of Hancock,  
Hassell of Piscataquis,  
Irish of Oxford,  
Prince of Androscoggin,  
Davis of Cumberland,  
Hobson of York,  
Boardman of Waldo,  
Bartlett of Somerset,  
Morrison of Franklin,  
Phillips of Penobscot.

\* On motion by Mr. NEALLEY,

\*34

*Ordered*, That the Committee on the Judiciary inquire into the expediency of so amending chapter 213 of the public laws of 1877, entitled "an act to amend section 32 of chapter 4 of the revised statutes, relating to elections," as to define more clearly the duties of the Governor and Council in counting the returns of votes cast for Senators and Representatives in the Legislature, and prevent any infringement of the constitutional right of each House to determine as to the election and qualification of its members.

Mr. PHILLIPS presented the petition of Rawson Lufkin and others, for legislation to prohibit fishing in Field's and Brewer's ponds for a certain term, which was referred to the Committee on Fisheries.

Mr. BAILEY presented a bill (S. 1) "repealing chapter 182 of the public laws of 1877, relating to the taxation of personal property," which was referred to the Committee on the Judiciary.

Mr. MORRISON presented a bill (S. 2) "to establish a municipal court in the town of Farmington," which was referred to the Committee on Legal Affairs.

The foregoing were sent down for concurrence.

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. Vickery of Augusta, Robie of Gorham, \*Drink- \*35  
water of Ellsworth, Pratt of Guilford, Lancaster of Wiscasset, Porter of Burlington and Woodcock of Princeton.

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. Phinney of Jay, Smith of Litchfield, Webb of Deer Isle, Piper of Lincoln, Boody of Westbrook, Shapleigh of Kittery and Flynn of South Berwick.

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. Bowers of Saco, White of Levant, Taylor of Biddeford, Wadsworth of Gardiner, Sherman of Liberty, Friend of Etna and Keating of Warren.

On motion by Mr. NEALLEY, at 40 minutes past 10 o'clock A. M.,

The Senate adjourned.

\*36

\*THURSDAY, JANUARY 10, 1878.

Senate met according to adjournment.

Prayer by Rev. Mr. DREW of Augusta.

The Journal of yesterday was read.

Orders from the House :

That the Committee on Education inquire into the expediency of so amending the laws relating to the election of superintending school committees that any town having more than fifteen hundred inhabitants may in its discretion elect more than three persons to constitute its superintending school committee ;

That the Committee on the Judiciary inquire into the expediency and justice of so amending the law of arrest of debtors that the poverty of said debtor may not subject him to punishment as though he were a criminal ;

That the Committee on the Judiciary be instructed to inquire into the expediency of so amending chapter 24 of the revised statutes as to provide a remedy against the oldest adjoining town for supplies furnished to paupers having no residence in this State, and falling into distress in unincorporated places in the State ;

\*37 That the Committee on Financial Affairs inquire \*into the propriety of reducing the salaries of every salaried officer of the State, whether legislative, executive, judicial, civil or military, so that the same shall bear a more equitable proportion to

the business interests of the State ; also the propriety of reducing the compensation of every employee of the State, in any of those departments, all in the furtherance of equity and the reduction of taxation ;

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

Were severally read and passed in concurrence.

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

With Messrs. Pilsbury of Lewiston, Murray of Pembroke, Buck of Orland, Strickland of Bangor, Blunt of Skowhegan, Dickey of Fort Kent and Hall of Oxford, appointed on the part of the House, was read and passed in concurrence.

And Messrs. Tolman of Cumberland, Martin of Knox and Cobb of Androscoggin, were appointed on the part of the Senate.

Petition of Thomas W. Porter, for reimbursement of money paid on account of subsistence of men in 1861 and 1862, was referred to the Committee on Claims in concurrence.

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

\* Petition of James Roberts and others of Martinicus Isle, \*38 for legislation for the protection of shore fisheries ;

Petition of Henry T. Kimball and others, for legislation extending the close-time for trout ;

H. R. 1. A bill to prevent the throwing of refuse lumber into Patten Pond stream in Surry, Hancock county ;

Were referred to the Committee on Fisheries in concurrence.

Petition of C. W. Conners and others, for the appointment of Thomas Merchant as ferryman on the ferry between Hancock and Sullivan ;

Petition of citizens of Ellsworth, Hancock and other towns, for reduction of rates of ferryage on the ferry between Hancock and Sullivan, and for the retention of Ransom B. Abbott as ferryman ;

Were referred to the Hancock County Delegation in concurrence.

Petition of Joseph Dane and others;

Petition of Levi Bragdon and others;

Petition of Alfred Hull and others,—severally for legislation granting certain rights to Thomas Goodall and others on Square pond;

Petition of Edwin Read and others, for legislation prohibiting the deposit of slabs, edgings and sawdust in the Kennebec river;

H. R. 2. A bill to provide for the improvement of the navigation of the Souedehunk stream for log driving;

Were referred to the Committee on Interior Waters in concurrence.

Petition of Isaac Wilder and others, for the repeal of the act of February 24, 1875, relating to sheriffs' fees;

\*39 \*H. R. 3. A bill to repeal chapter 182 of the laws of 1877. (See bill S. 1.)

Were referred to the Committee on the Judiciary in concurrence.

Petition of the citizens of Ellsworth, for an amendment of the city charter of said city, was referred to the Committee on Legal Affairs in concurrence.

Petition of Mrs. Walter Brown and others, for aid for the Children's Home, Bangor, was referred to the Committee on Military Affairs in concurrence.

Petition of William H. Scott;

Petition of James E. Weston;

Petition of John St. John;

Petition of George Walls;

Petition of Edwin L. Reed;

Petition of Oliver P. Merryman,—respectively praying for a deed of land;

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

Petition of inhabitants of Roxbury, to be set off from said town and annexed to Mexico and Andover;

Petition of inhabitants of Mexico, in aid of the same;

Petition of selectmen of Roxbury, in aid of the same;

Petition of David Tilson and others, for an act to set off Hurricane Island from Vinalhaven ;

Were referred to the Committee on Towns in concurrence.

Petition of selectmen of Haynesville, for an abatement of State tax, came from the House referred to the Committee on Towns.

The Senate non-concurred, and referred \* the petition to \*40 the Committee on Financial Affairs.

Sent down for concurrence.

Petition of Allen Blanchard, Jr., and others, for an appropriation on the road from Kingfield to Eustis ;

Petition of inhabitants of Madawaska, for an appropriation to build a bridge over Isoie Martin's stream ;

Petition of Jacob Kershner and others, for an appropriation to aid in building a road through Nos. 3 and 4, in Somerset county ;

Petition of Otis Fernald and others, for an amendment of the statutes relating to ways ;

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

A communication was received from Hon. R. B. Shepherd, Executive Councillor elect, signifying his acceptance, which was read and sent down.

On motion by Mr. MARTIN,

*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 15 minutes before 11 o'clock A. M., for the purpose of administering to R. B. Shepherd, 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.

\*41

## IN CONVENTION.

On motion by Mr. BARTLETT of the Senate,

*Ordered*, That the Secretary be directed to notify R. B. Shepherd, 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. R. B. Shepherd, 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 required by the Constitution to qualify him to enter upon the discharge of his official duties.

The Councillor then retired.

On motion by Mr. BLUNT of Skowhegan, of the House,

*Ordered*, That a message be sent to the Governor by the Secretary, informing him of the election and qualification of R. B. Shepherd 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. DAVIS of Penobscot,

\*42 \* *Ordered*, That the Committee on the Judiciary inquire into the expediency of amending section 2 of chapter 106 of the revised statutes, so as more clearly to define the qualification of jurors.

On motion by Mr. DRAKE,

*Ordered*, That the Committee on the Judiciary inquire into the expediency of amending section 34 of chapter 91 of the revised statutes, so that the lien therein specified shall apply to hemlock bark.

Mr. BARTLETT presented the petition of the selectmen of Mayfield, for an abatement of State tax, which was referred to the Committee on Claims.

Also the petition of Virgil P. Hall and others, for an appropriation for building a road in Mayfield, which was referred to the Committee on Ways and Bridges.

Mr. BRAGDON presented the petition of Cyrus Emery and others, for legislation relating to liens on ships and vessels, similar to the general statutes of Massachusetts, which was referred to the Committee on the Judiciary.

Mr. MORRISON presented the petition of the assessors of plantation No. 6, for legislation to legalize the doings of said plantation, which was referred to the Committee on Legal Affairs.

Severally sent down for concurrence.

On motion by Mr. BOARDMAN,

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

That all business of the last Legislature referred to this, be taken from the files and referred to the appropriate committees ; and

*Ordered*, That the order lie on the table.

\* On motion by Mr. IRISH, at 11 o'clock A. M.,  
The Senate adjourned.

\*43

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FRIDAY, JANUARY 11, 1878.

Senate met according to adjournment.

Prayer by Rev. Mr. TILDEN of Augusta.

The Journal of yesterday was read.

Orders from the House :

That the Committee on Financial Affairs inquire into the expediency of abolishing the office of crier in the several courts of the State ;

That the Committee on the Judiciary inquire into the expediency of providing additional remedies for obtaining disclosures upon judgments ;

That the Committee on the Judiciary inquire into the expediency of so amending the law relating to the collection of taxes as to create a lien on personal property for the payment of the tax, when the tax shall amount to five dollars and upwards ;

That the Committee on the Judiciary inquire into the expediency of repealing section 1, chapter 200 of the public laws of 1877, relating to licenses on dogs, or so amending said section as to \*leave it optional with towns whether such licenses shall be required;

That the Committee on the Judiciary take into consideration chapter 234 of the acts of 1874, and report what amendment, if any, is necessary to make it effectual and equitable;

That the Committee on Legal Affairs inquire into the propriety of repealing or amending section 1, chapter 58 of the public laws of 1876, relating to licensing of auctioneers in towns and cities;

Were read and passed in concurrence.

That the Committee on State Lands and State Roads be instructed to report a resolve appropriating a sufficient sum of money to repair the Baring and Houlton road leading across the Indian Township in Washington county, and also the road leading from said road to the Grand Lake stream, came from the House read and passed, and was read.

Mr. NEALLEY moved to amend by striking out the words "report a resolve," and insert the words "*inquire into the expediency of.*"

The amendment was agreed to and the order passed.

Sent down for concurrence.

That the Portland Daily Advertiser be added to the list of newspapers named in the order of January 2d, requesting certain newspapers to give public notice of the date fixed thereby for the reception of petitions and orders;

That each member of the Board of Agriculture be furnished with a copy of the Daily Kennebec Journal during the session of of Legislature;

Were read and passed in concurrence.

\*45 \*Petition of the selectmen of Byron, for legislation relating to persons imprisoned for non-payment of taxes;

Petition of Charles A. Rolfe and others;

Petition of John D. Lawler and others;

Petition of Lewis S. Crosby and others,—severally for legislation creating a lien on hemlock bark;

Petition of John D. Lawler and others ;

Petition of Lewis S. Crosby and others ;

Petition of H. H. Miller and others,—severally for legislation providing for a bounty on wolves and bears ;

Were referred to the Committee on the Judiciary in concurrence.

• Petition of H. P. Cotton and others, for an amendment of the law of 1875, relating to the taking of eels ;

Petition of George L. Hall and others ; also

Petition of E. G. Baker and others, for an amendment of section 50 of chapter 40 of the revised statutes, relating to migratory fishes ;

Petition of Nathaniel Hobbs, for the protection of fish in Perkins stream in North Berwick, Wells and Sanford ;

Were referred to the Committees on Fisheries in concurrence.

Petition of William Conary, for reimbursement of purchase money paid on Black island in Hancock county ;

Petition of Peter Murphy of Jackson Brook plantation, for remuneration for aid furnished Ellen Wescott of Woodstock, New Brunswick ;

Petition of John Sterling, for pay for labor for the State on State road ;

Were referred to the Committee on Claims in concurrence.

\* Petition of Adna C. Denison and others, for an amendment of the charter of the Evans Rifle Manufacturing Company, was referred to the Committee on Manufactures in concurrence. \*46

Petition of Charles C. Libby, for a lot of land, was referred to the Committee on State Lands and State Roads in concurrence.

Petition of George Tolman and others, for legislation authorizing a steam or horse ferry between Sedgwick and Deer Isle, came from the House referred to the Hancock County Delegation.

The Senate non-concurred and referred the petition to the Committee on Commerce.

Sent down for concurrence.

Petition of the selectmen of Byron, for legislation authorizing the inhabitants of said town to control the waters of Swift river ;

Petition of Abraham Nash and others, for an amendment of the charter of the Branch Stream Dyke Company.

Remonstrance of Thomas Ricker and others, against granting the prayer of Thomas Goodall ;

Were referred to the Committee on Interior Waters in concurrence.

Remonstrance of Calvin Smith and others, against the organization of Hurricane island as a plantation, was referred to the Committee on Towns in concurrence.

Petition of N. Blake and others, for an appropriation to repair bridge over Aroostook river in Ashland ;

Petition of Leander C. Perkins and others, for a charter to build a bridge across Toddy pond in Hancock county ;

\*47 \*Petition of O. R. Sivois, for an appropriation to aid in building a bridge across the St. Johns river ;

Petition of B. L. Eaton and others, for an amendment of section 10 of chapter 19 of the revised statutes, so that said section may apply to the road across the petitioner's land from Jackson Brook to Forest City ;

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

Petition of Marcus W. Towne and others ;

Petition of A. P. Gould and others ;

Petition of George E. Eldridge and others ;

Petition of C. I. Ricker and others ;

Petition of A. I. Whiting and others ;

Petition of Thomas Smith and others ;

Petition of William P. Hayden and others ;

Petition of William F. Warren and others ;

Petition of J. G. Marks and others ;

Petition of H. H. Berry and others ;

Petition of W. L. Guptill and others ;

Petition of Fred Lewis and others ;

Petition of J. R. Bodwell and others ;

Petition of Hiram Ricker and others ;

Petition of M. S. Whitney and others ;

Petition of P. H. Kane and others ;

Petition of S. F. White and others ;

Petition of P. J. Hooker and others ;  
Petition of A. Perry and others ;  
Petition of F. P. Haviland and others ;  
Petition of H. F. Drury and others ;  
Petition of P. M. Purrington and others ;  
Petition of J. E. Mills and others ;  
Petition of A. Sanborn and others ;  
Petition of Ira C. Chase and others ;  
Petition of N. B. Tracy and others ;  
Petition of Davis Tillson and others ;  
Petition of A. W. Paine and others ;  
Petition of J. G. Richardson and others ;  
Petition of George W. Hale and others ;  
Petition of C. C. Titcomb and others ;  
Petition of B. F. Pendleton and others ;  
Petition of Augustus Stevens and others ;  
Petition of O. E. Clay and others ;  
Petition of A. R. Conary and others ;  
Petition of B. O. Cutler and others ;  
Petition of E. B. Clough and others ;  
Petition of M. L. Elwell and others ;  
Petition of J. T. Hinckley and others ;  
Petition of Samuel F. Anderson and others,—severally for a  
mineral survey of the State ;

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

H. R. 4. A bill to incorporate the Square Pond Reservoir  
Company, was referred to the Committee on Interior Waters in  
concurrence.

H. R. 5. A bill to limit actions for recovery of real estate ;

H. R. 6. A bill relating to levy of executions upon estates  
held in joint tenancy or in common ;

\* Were referred to the Committee on the Judiciary in con- \*48  
currence.

H. R. 7. A bill to amend section 5, chapter 204 of the public  
laws of 1877, came from the House referred to the Committee on  
the Judiciary.

The Senate non-concurred, and referred the bill to the Committee on Temperance.

Sent down for concurrence.

H. R. 8. A bill to amend section 48, chapter 18 of the revised statutes, relating to highway taxes, was referred to the Committee on the Judiciary in concurrence.

H. R. 9. A bill to revive, amend and extend the acts in relation to the Wiscasset and Quebec Railroad Company, the Messalonskee and Kennebec Railroad Company, and the Somerset Railroad Company, was referred to the Committee on Railroads in concurrence.

A communication was received from Gen. J. P. Cilley, Adjutant General elect, signifying his acceptance, which was read and sent down.

A communication was received from Hon. S. J. Chadbourne, Secretary of State, transmitting the annual report of the Agent of the Passamaquoddy Indians for the year 1877, which was read, and

On motion by Mr. NEALLEY,

*Ordered*, That the report of the Agent of the Passamaquoddy Indians be referred to the Committee on Indian Affairs.

Sent down for concurrence.

A communication was received from Hon. S. J. Chadbourne,  
\*49 Secretary of State, transmitting \* the annual report of the Bank Examiner for the year 1877, which was read, and

On motion by Mr. ROGERS,

*Ordered*, That the report of the Bank Examiner be referred to the Committee on Banks and Banking.

Sent down for concurrence.

On motion by Mr. NEALLEY,

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

On motion by Mr. BAILEY,

*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.

On motion by Mr. BOARDMAN,

The order passed by the House, that all business of the last Legislature referred to this, be taken from the files and referred to the appropriate committees, was taken from the table.

The Senate non-concurred, and the order was refused a passage.  
Sent down for concurrence.

On motion by Mr. HAYNES,

*Ordered*, That the bill to prevent the throwing of slabs and other refuse into the Kennebec river and its tributaries, together with the petitions for and remonstrances against the same, be taken from the files of 1877 and referred to the Committee on Interior Waters. (No. 3 of Package Five.)

On motion by Mr. NEALLEY,

*Ordered*, That the report of the Board of \*Visitors of \*50 the Maine General Hospital be taken from the table and referred to the Committee on Financial Affairs.

Sent down for concurrence.

Mr. HAYNES presented the petition of citizens of Augusta, for an amendment of the city charter of said city.

Mr. HOBSON presented the petition of John A. Berry and others of Saco, for an amendment of the charter of said city ;

Also the petition of Joseph G. Deering and others, for the same.

These petitions were referred to the Committee on the Judiciary.  
Sent down for concurrence.

Mr. HASSELL presented the petition of J. G. Mayo and others, for the renewal of the charter of the Piscataquis Central Railroad Company, which was referred to the Committee on Railroads.

Mr. MORRISON presented the petition of Mark G. Walker and others, for legislation abolishing the organization of No. 6 plantation in Franklin county, which was referred to the Committee on Towns.

Mr. HOBSON presented the petition of a public meeting in Saco, for legislation declaring the liquor traffic to be a felony, which was referred to the Committee on Temperance.

Mr. HAYNES presented a bill (S. 3) to increase the capital stock of the Augusta Water Company, which was referred to the Committee on the Judiciary.

\*51 Mr. IRISH presented a bill (S. 4) to amend \*chapter 124, section 18, of the revised statutes, which was referred to the Committee on Legal Affairs.

Severally sent down for concurrence.

Mr. BAILEY submitted a (S. 1) resolve relating to the currency, and

On motion by the same Senator,

*Ordered*, That it lie on the table and be printed.

On motion by Mr. PRINCE, at 18 minutes past 11 o'clock A. M.,

The Senate adjourned.

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MONDAY, JANUARY 14, 1878.

Senate met according to adjournment.

Prayer by Rev. Mr. ADAMS of Augusta.

The Journal of Friday was read.

Orders from the House :

That the Committee on the Judiciary take into consideration the statutes relating to disclosure of debtors arrested on execution, and to inquire what legislation is necessary to make it certain and definite what notice is required to be given by debtors in order to make a disclosure when so arrested ;

\*52 \*That the Committee on the Judiciary inquire if any further legislation is necessary to repress the growing evil and danger of tramps and vagabonds ;

That the same Committee inquire into the expediency of so amending the Constitution as to provide for biennial elections of Governor and other State officers, and also of Senators and Representatives to the Legislature ;

That the Committee on the Judiciary inquire into the expediency of so amending section 9, chapter 6 of the revised statutes, as to do away with double taxation ;

That the Committee on Agriculture inquire into the expediency of so amending chapter 200 of the laws of 1877, relating to mischievous dogs, as to make its provisions apply to plantations ;

That the Committee on Legal Affairs inquire into the expediency of so amending chapter 82, section 87, of the revised statutes, as to allow parties to civil suits to testify in all cases ;

That the Committee on Legal Affairs inquire into the expediency of amending section 9, chapter 116 of the revised statutes, relating to board of prisoners in county jails ;

Were read and passed in concurrence.

Petition of James H. Leigh and others, for legislation establishing a Superior Court in Kennebec county, came from the House referred to the Kennebec County Delegation.

The Senate non-concurred, and referred the petition to the Committee on the Judiciary.

Sent down for concurrence.

\* Petition of Jeremiah Currier and others, for bounty on \*53 bears, came from the House referred to the Committee on Agriculture.

The Senate non-concurred, and referred the petition to the Committee on the Judiciary.

Sent down for concurrence.

Petition of H. G. C. Tompkins, for pay for hauling lumber seized by the Land Agent ;

Petition of Hannah Lampson, for pay for hauling lumber, seized and sold by the Land Agent ;

Were referred to the Committee on Claims in concurrence.

Petition of A. G. Lebroke and others, for a mineral survey of the State, was referred to the Committee on Financial Affairs in concurrence.

Petition of John Wheelock and others ;

Petition of Charles Sweron and others,—severally for action requesting our Representatives in Congress to favor a reciprocity treaty between the United States and Canada ;

Were referred to the Committee on Federal Relations in concurrence.

Petition of William McFarland and others ;

Petition of Samuel Wylie and others ;

Petition of James L. Young and others,—severally for legislation for the protection of the shore fisheries ;

Were referred to the Committee on Fisheries in concurrence.

Petition of Nathan Perry and others, for the extension of the charter of the Aroostook River Steamboat Company ;

Petition of Daniel C. Hall and others, for legislation incorporating the Fairfield Boom Company ;

\*54 \*Petition of Solon White and others, for legislation to prevent the throwing of edgings and other refuse into the Kennebec river ;

Were referred to the Committee on Interior Waters in concurrence.

Petition of John J. Perry, for amendment of the law relating to the arrest and imprisonment of poor debtors ;

Petition of J. F. Davis and others, for lien on ships and vessels similar to the general statutes of Massachusetts ;

Were referred to the Committee on the Judiciary in concurrence.

Petition of Joseph White and others, for legislation authorizing the sale of the Union Meeting House at North Vassalboro'.

Petition of John Willey and others, for amendment of the law relating to division fences ;

Were referred to the Committee on Legal Affairs in concurrence.

Petition of Lincoln E. Sprague ;

Petition of Nelson Turney ;

Petition of Shepherd I. Higgins ;

Petition of Cyrus T. Daniels ;

Petition of Lydia A. Daniels ;

Petition of John Allen ;

Petition of John S. Arnold,—respectively for deed of lot of land ;

Petition of the town of Mapleton, for an appropriation for a bridge over the north branch of Presque Isle stream ;

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

Petition of John A. McIntire and others, to be set off from Berwick and annexed to South Berwick ;

Petition of Henry Tilley and others, for the incorporation of the town of Castle Hill ;

\*55 \* Were referred to the Committee on Towns in concurrence.

Petition of a public meeting in Richmond ;

Petition of a public meeting in Deering,—severally praying that the liquor traffic may be declared a felony ;

Were referred to the Committee on Temperance in concurrence.

Petition of P. R. Millay and others ;

Petition of Converse Purrington and others ;

Petition of Edwin Reed and others,—severally praying that the franchise of Merrymeeting Bridge may be vested in Sagadahoc county ;

Petition of John A. Nadeau and others ;

Petition of Martin Savage and others,—severally for an appropriation to aid the building a bridge over the St. Johns river near Little falls ;

Petition of C. Sweron and others, for an appropriation in aid of a bridge over Rossignol stream in Frenchville ;

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

Petition of Levi Sears and others, for an appropriation for a bridge over Fish river, was referred to the Committee on State Lands and State Roads in concurrence.

H. R. 10. A bill to prevent the throwing of edgings, sawdust and other refuse into the waters of the harbor of Wiscasset, was referred to the Committee on Interior Waters in concurrence.

H. R. 11. A bill to amend chapter 341 of the laws of 1873, entitled “an act to incorporate the Evans Rifle Manufacturing Company,” was referred to the Committee on Manufactures in concurrence.

\*H. R. 12. A bill to revive and amend chapter 141 of the \*56 special laws of 1872, entitled “an act to incorporate the Norway Branch Railroad Company, and to authorize the Norway Village Corporation to aid the same,” was referred to the Committee on Railroads in concurrence.

H. R. 13. A bill to amend section 2, chapter 116 of the revised statutes, relating to fees in bastardy cases, was referred to the Committee on the Judiciary in concurrence.

A communication was received from Hon. S. J. Chadbourne, Secretary of State, transmitting the annual report of the Visiting

Committee of the Maine Insane Hospital for the year 1877, which was read and sent down, and

On motion of Mr. WOODWARD,

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

Sent down for concurrence.

On motion by Mr. FERGUSON,

*Ordered*, That the Committee on Legal Affairs inquire into the expediency of so amending chapter 174 of the public laws of 1877 as to include guardians.

On motion by Mr. BRAGDON,

*Ordered*, That the Committee on Education inquire into the expediency of amending section 5 of chapter 11 of the revised statutes, so that the law in relation to the raising and expending of school money in plantations may not be misunderstood.

Mr. STEVENS presented a bill (S. 5) to amend chapter 82 of the revised statutes relating to evidence.

\*57 \*Mr. HAYNES presented a bill (S. 6) to incorporate the Springvale Aqueduct Company.

These bills were referred to the Committee on the Judiciary.

Sent down for concurrence.

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

The Committee to whom was referred the examination and counting of Senatorial votes, having attended to that duty, submit the following report:

#### FIRST SENATORIAL DISTRICT.

Joseph Hobson has.....	5,524 votes.
William F. Moody .....	5,560 "
John F. Ferguson.....	5,550 "
Francis G. Warren.....	5,227 "
William A. Cromwell.....	5,125 "
Samuel M. Came.....	5,114 "
Joseph G. Tarbox.....	88 "
Luther Ayer.....	88 "
W. F. Moody.....	1 "
John H. Ferguson.....	30 "
Scattering .....	3 "

And Joseph Hobson, William F. Moody and John F. Ferguson, having received a plurality of the votes cast, are elected and entitled to seats.

## SECOND SENATORIAL DISTRICT.

James Bailey has .....	6,369	votes.
Philander Tolman .....	6,358	"
Warren H. Vinton .....	6,319	"
Reuben Higgins.....	6,119	"
William G. Davis .....	6,418	"
Perez N. Blanchard .....	6,275	"
* Albert Gray.....	6,250	" *58
Edward Payson.....	6,246	"
Moses G. Dow.....	98	"
D. W. Proctor.....	107	"
J. F. Turner.....	107	"
R. L. Chaplin.....	96	"
M. G. Dow.....	8	"
P. O. Carmel .....	8	"
Scattering .....	6	"

And James Bailey, Philander Tolman, Warren H. Vinton and William G. Davis, having received a plurality of the votes cast, are elected and entitled to seats.

## THIRD SENATORIAL DISTRICT.

James Irish has .....	3,224	votes.
Moses S. Moulton... ..	3,203	"
William A. Frothingham.....	2,586	"
George W. Towle.....	2,546	"
Sewall Goff.....	873	"
George W. Haskell.....	803	"

And James Irish and Moses S. Moulton, having received a plurality of the votes cast, are elected and entitled to seats.

## FOURTH SENATORIAL DISTRICT.

J. L. H. Cobb has.....	2,896	votes.
Rufus Prince .....	2,934	"
Alonzo Garcelon.....	2,089	"
Marshall Jordan .....	2,088	"
Silas Morse.....	1,088	"
Edward F. Stevens.....	1,083	"
C. I. Barker .....	1	"

And J. L. H. Cobb and Rufus Prince, having received a plurality of the votes cast, are elected and entitled to seats.

\*59

\* FIFTH SENATORIAL DISTRICT.

James Morrison, Jr., has.....	1,631 votes.
Lucien B. Pillsbury.....	1,459 "
J. K. Lovejoy .....	201 "

And James Morrison, Jr. having received a plurality of the votes cast, is elected and entitled to a seat.

SIXTH SENATORIAL DISTRICT.

William Rogers has.....	1,648 votes.
Parker M. Whitmore.....	971 "
F. B. Torry .... .	2 "
Edwin Reed.....	1 "

And William Rogers, having received a plurality of the votes cast, is elected and entitled to a seat.

SEVENTH SENATORIAL DISTRICT.

Greenlief T. Stevens has.....	5,703 votes.
J. Manchester Haynes.....	4,998 "
Oscar Holway.....	3,412 "
John Ware, Jr.....	3,374 "
A. G. Chandler.....	252 "
J. D. White.....	253 "
Peter F. Sanborn.....	14 "
Samuel Titcomb.....	14 "
A. Gorham Chandler.....	115 "
James D. White .....	122 "
Scattering.....	7 "

And Greenlief T. Stevens and J. Manchester Haynes, having received a plurality of the votes cast, are elected and entitled to seats.

EIGHTH SENATORIAL DISTRICT.

Darius H. Bartlett has.....	2,965 votes.
Nahum Totman.....	3,132 "
Edward Rowe .....	553 "
Ivory Lowe.....	544 "
*60 *Darius Bartlett.....	3 "
J. Darius Bartlett.....	1 "
D. H. Bartlett.....	154 "

And Darius H. Bartlett and Nahum Totman, having received a plurality of the votes cast, are elected and entitled to seats.

## NINTH SENATORIAL DISTRICT.

Jason Hassell has.....	1,421 votes.
Andrew J. Chase.....	896 "
Jonathan Carter.....	1 "
Richard A. Monroe.....	97 "

And Jason Hassell, having received a plurality of the votes cast, is elected and entitled to a seat.

## TENTH SENATORIAL DISTRICT.

J. Wyman Phillips has.....	5,919 votes.
Edward B. Nealley.....	5,946 "
Daniel F. Davis.....	5,946 "
Lloyd W. Drake.....	5,949 "
William T. Pearson.....	3,582 "
Nathaniel Wilson.....	4,009 "
David Fletcher.....	3,594 "
Lewis F. Stratton.....	3,602 "
Alfred Getchell.....	415 "
Llewellyn A. Lucas.....	402 "
Benj. N. Thomas.....	406 "
Scattering.....	20 "

And J. Wyman Phillips, Edward B. Nealley, Daniel F. Davis and Lloyd W. Drake, having received a plurality of the votes cast, are elected and entitled to seats.

## ELEVENTH SENATORIAL DISTRICT.

David W. Chapman has.....	2,040 votes.
Uriah W. Woodward.....	2,199 "
J. Alfred Johnson.....	13 "
* James A. Johnson.....	57 " *61

And Uriah W. Woodward, having received a plurality of the votes cast, is elected and entitled to a seat.

## TWELFTH SENATORIAL DISTRICT.

Joseph H. Martin has.....	3,133 votes.
Joshua L. Jordan.....	2,317 "

And Joseph H. Martin, having received a plurality of the votes cast, is elected and entitled to a seat.

## THIRTEENTH SENATORIAL DISTRICT.

Isaac M. Boardman has.....	3,364 votes.
Orrin Learned .....	3,472 "
Hanson T. Gove ....	2,748 "
Cassius C. Roberts .....	2,761 "
Scattering.....	14 "

And Isaac M. Boardman and Orrin Learned, having received a plurality of the votes cast, are elected and entitled to seats.

## FOURTEENTH SENATORIAL DISTRICT.

William Grindle has.....	2,990 votes.
William W. Bragdon.....	3,076 "
John Moor.....	2,170 "
Isaac Partridge.....	2,269 "
Oliver Donnell.....	107 "
Andrew P. Goodall.....	95 "

And William Grindle and William W. Bragdon, having received a plurality of the votes cast, are elected and entitled to seats.

## FIFTEENTH SENATORIAL DISTRICT.

Albert M. Nash has .....	3,318 votes.
Alexander B. Sumner.....	3,320 "
Samuel D. Leavitt.....	2,783 "
*62 * Henry H. Bowles.....	2,653 "

And Albert M. Nash and Alexander B. Sumner, having received a plurality of the votes cast, are elected and entitled to seats.

## SIXTEENTH SENATORIAL DISTRICT.

There were some informalities in the returns from this District, to wit: The check list returned from Van Buren plantation was not certified by the Assessors and Plantation clerk as required by law, and the return was thrown out and not counted. The return from Eagle Lake plantation was not attested by the clerk, and was thrown out and not counted. The returns from Macwahoc plantation and the town of Blaine did not give the whole number of votes as required by law, and were thrown out and not counted, and your Committee confining themselves to law in such cases provided, find that

Parker P. Burleigh has.....	2,198 votes.
Edmund Madigan.....	2,144 "

And Parker P. Burleigh, having received a plurality of the votes cast, as shown by the legal returns, is elected and entitled to a seat.

(Signed)

J. WYMAN PHILLIPS, *Chairman.*

Mr. MARTIN called for a division of the report.

The report upon the First to the Fifteenth Senatorial Districts, both inclusive, was accepted.

Pending the acceptance of the report upon the Sixteenth Senatorial District,

On motion by Mr. MARTIN,

That so much of the report as relates to the \*Sixteenth \*63 Senatorial District be referred to a Select Committee of seven, with instructions to inquire into the legality of all the votes cast, the legality of the organization of the several plantations in said district, the constitutional qualifications of candidates, and all other questions which may in any way affect said election and tend to assist in justly determining the right of either contestant to a seat in this Senate, and report thereon to this body.

It was determined in the affirmative, yeas 12, nays 10.

On motion by Mr. MARTIN,

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

Those who voted in the affirmative are :

Messrs. Bartlett, Boardman, Ferguson, Martin, Moody, Nash, Prince, Rogers, Stevens, Sumner, Totman and Woodward—12.

Those who voted in the negative are :

Messrs. Bragdon, Davis of Penobscot, Drake, Grindle, Haynes, Irish, Morrison, Moulton, Nealley and Phillips—10.

So the motion was agreed to.

Mr. HAYNES submitted the following :

WHEREAS, By the provisions of section 21 of chapter 2 of the revised statutes of the State of Maine, the Secretary of State is required to furnish to the Secretary of the Senate a certified roll, under seal of the State, of the names of all persons who appear to be elected Senators in the several Senatorial Districts according to the report of the Governor and Council, and also to report any vacancies that may exist.

\*64 \*AND, WHEREAS, In the certified roll of names of the members elect of the present Senate, the Secretary of State does not report that any vacancy exists in the Sixteenth Senatorial District, but does certify under seal of the State, that according to the report of the Governor and Council, Parker P. Burleigh of Linneus, appears to have received a majority of all the votes cast for Senators in said district at the last September election.

AND, WHEREAS, The Committee to which was referred the Senatorial votes for examination and report, have reported that Parker P. Burleigh of Linneus appears to have received a majority of all the votes cast on the Sixteenth Senatorial District at the last September election. Therefore,

*Resolved*, That Parker P. Burleigh is *prima facie* entitled to a seat at this board, and that he be sworn in till the Senate shall otherwise determine.

And on the question of its adoption, it was determined in the affirmative, yeas 13, nays 9.

On motion by Mr. HAYNES,

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

Those who voted in the affirmative are :

Messrs. Boardman, Bragdon, Davis of Penobscot, Drake, Ferguson, Grindle, Haynes, Irish, Morrison, Moulton, Nealley, Phillips and Totman—13.

Those who voted in the negative are :

Messrs. Bartlett, Martin, Moody, Nash, Prince, Rogers, Stevens, Sumner and Woodward—9.

So the resolution was agreed to.

\*65 \*On motion by Mr. GRINDLE, at 30 minutes past 6 o'clock P. M.,

The Senate adjourned.

TUESDAY, JANUARY 15, 1878.

Senate met according to adjournment.

Prayer by Rev. Mr. CURTIS of Augusta.

The Journal of yesterday was read.

Mr. BRAGDON announced the attendance of Parker P. Burleigh, Senator from the Sixteenth Senatorial District, and that he was ready to be qualified.

Mr. Bragdon was directed by the President to conduct Mr. Burleigh to the Governor and Council for that purpose, who subsequently reported that he had attended to the duty assigned him, and that Mr. Burleigh 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. Burleigh thereupon appeared and took his seat at the Senate Board.

Orders from the House :

That the Committee on Agriculture inquire \*into the expediency of so amending the law relative to pound keepers, \*66 as to require superintendents of town and city farms to act as pound keepers by virtue of their office, and on refusal so to act shall be removed from office ;

That the Committee on Education inquire into the expediency of recommending to the Legislature the printing and distribution of a limited number of copies of all laws appertaining to schools, school districts and education ;

That the Committee on the Judiciary inquire if any further legislation is necessary to make it obligatory upon non-resident owners of real estate to build and maintain their respective part of line partition fences ;

That the Committee on State Lands and State Roads inquire into the situation of the settlers on township No. 17, range 7, (now Wallagrass) on lots run out and located by direction of the States of Maine and Massachusetts, for settling purposes ; if said settlers were not permitted and invited on to said lots by the

agent of said States ; and if said settlers have not paid for their lots in whole or in part, under the settling laws of the State ; also what number of lots were given to the proprietors by the commission to sever and divide said land ; and the number of said lots and number of acres in each, and report what are the equitable rights of the persons located on said lots, by resolve or otherwise, all the facts relative to the same ;

That the Committee on Public Buildings be requested to investigate and report what changes in the Representatives' Hall are necessary and advisable to render the same convenient and commodious ;

\*67 \* Were severally read and passed in concurrence.

Petition of Elias S. Goff and others, for a charter for a canal from Sebago lake to Gambo falls ;

Petition of George Stetson and others, for an act of incorporation for the erection of dams and improvements on Houston brook and Crystal stream in Aroostook county, for log driving ;

Remonstrance of William Lamb and others, against the bill prohibiting the throwing of edgings and other refuse into the Kennebec river ;

Were referred to the Committee on Interior Waters in concurrence.

Petition of J. W. Porter and others, for amendment of section 53 of chapter 6 of the revised statutes, relating to roads in unincorporated places ;

Petition of the town of Limestone, for legislation to legalize the doings of the officers of said town ;

Were referred to the Committee on Legal Affairs in concurrence.

Petition of C. F. Penney and others, for legislation granting aid to the Maine Central Institute, was referred to the Committee on Education in concurrence.

Petition of John P. Patterson, for pay for lumber cut on his land, was referred to the Committee on Claims in concurrence.

Petition of R. J. Lyford and others, for legislation to prohibit fishing in Withee's pond at Dover South Mills, was referred to the Committee on Fisheries in concurrence.

Petition of county commissioners of Aroostook county, for an appropriation to build a bridge \* over Fish river, in \*68 township No. 16, range 7 ;

Petition of selectmen of Shirley, for aid on road in said town ;

Petition of the selectmen of Blanchard, for aid on road in said town ;

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

Petition of Sidney M. Brick and others, for legislation to set off ward seven from the city of Rockland and incorporate the same as a town ;

Petition of the inhabitants of Andover, in aid of the petition to set off certain territory from Roxbury and annex the same to Mexico and Andover ;

Were referred to the Committee on Towns in concurrence.

Petition of E. G. Harlow and others, for an appropriation for a bridge across the Androscoggin river at Dixfield ;

Petition of Elbridge Randall and others ;

Petition of Thomas Sprague and others, for legislation vesting the franchise of Merrymeeting bridge in the county of Sagadahoc ;

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

H. R. 1. Resolve in favor of Nathaniel Blake, was referred to the Committee on Claims in concurrence.

H. R. 14. A bill to amend the eighth clause of section 55, chapter 11 of the revised statutes, relating to school returns, was referred to the Committee on Education in concurrence.

H. R. 15. A bill to incorporate the Crystal Dam Company, was referred to the Committee \* on Interior Waters in \*69 concurrence.

H. R. 16. A bill to amend section 7, chapter 4 of the revised statutes, relating to voting lists, was referred to the Committee on Legal Affairs in concurrence.

The PRESIDENT announced the following Senators to fill the vacancies existing in the Joint Standing Committees, who were duly appointed as follows :

On Legal Affairs—Mr. Prince of Androscoggin.

On State Lands and State Roads—Mr. Burleigh of Aroostook.

The PRESIDENT announced the Select Committee on Senatorial Votes of the Sixteenth District, which was appointed as follows :

Messrs. Martin of Knox, Cobb of Androscoggin, Haynes of Kennebec, Davis of Penobscot, Morrison of Franklin, Rogers of Sagadahoc and Stevens of Kennebec.

Mr. STEVENS, at his request, was excused from serving on the foregoing Committee, and Mr. Moulton of Oxford was appointed to the vacancy.

On motion by Mr. MARTIN,

*Ordered*, That the Select Committee on Senatorial Votes for the Sixteenth Senatorial District be instructed to proceed forthwith and hear and determine which of the claimants is entitled to a seat in this Senate.

On motion by Mr. BOARDMAN,

*Ordered*, That the Committee on Banks and Banking inquire into the expediency of striking out of the 24th line of section 10 of chapter 218 of the \*public laws of 1877, relating to savings banks, the words "of the State," so that the clause of said section in which those words occur, when amended, shall read as follows, "and also loan on such other personal securities as in the judgment of the trustees will be safe and for the interest of the bank to accept."

On motion by Mr. BRAGDON,

*Ordered*, That the Committee on the Judiciary inquire into the expediency of amending section 1 of chapter 200 of the public laws of 1877, so that some definite time shall be fixed for the registration of dogs. Also to so amend that no license shall be granted by the clerk until he is furnished with sufficient evidence that the prescribed fee has been paid into the treasury.

On motion of Mr. BARTLETT,

*Ordered*, That the Committee on Ways and Bridges inquire into the propriety of so amending section 51, chapter 18 of the revised statutes, that the provisions of said section shall be fully complied with.

Severally sent down for concurrence.

On motion by Mr. HAYNES,

The vote was reconsidered whereby the Senate referred to the Committee on the Judiciary the petition of James H. Leigh and

others for a Superior Court in Kennebec county, and the petition was referred to the Kennebec County Delegation in concurrence.

Mr. MARTIN presented the remonstrance of Edmund Madigan against the right of Parker P. Burleigh to a seat in the Senate, which was referred to the Select Committee on Senatorial

\* Votes of the Sixteenth District.

\*71

Mr. NEALLEY presented the petition of Silas Alden and others of Bangor.

Mr. DAVIS of Cumberland presented the petition of Andrew J. Nichols and others of Portland.

Mr. BAILEY presented the petition of Gardiner Ludwig and others of Portland.

Mr. MOODY presented the petition of Theo. H. Jewett and others of South Berwick.

Mr. DAVIS of Penobscot presented the petition of Francis A. Connor and others of Brewer.

Mr. MOULTON presented the petition of A. L. Hersey and others of Oxford.

These petitions, severally for an amendment of chapter 204 of the public laws of 1877, relating to the business of apothecaries, were referred to the Committee on Temperance.

Sent down for concurrence. •

Mr. IRISH presented the petition of the town officers of Andover, for an amendment of chapter 140 of the public laws of 1869, relating to the expenditure of money on the "Lake road," so called, which was referred to the Committee on State Lands and State Roads.

Mr. BAILEY presented a bill (S. 7) to amend chapter 346 of the private and special laws of 1877, entitled "an act to promote the efficiency of the police force in the city of Portland."

Mr. PRINCE presented a bill (S. 8) to amend section 9 of chapter 132 of the revised statutes, regulating fees for complainants;

Also a bill (S. 9) to amend section 15 of chapter 116 of the revised statutes, regulating fees of attorneys \*in criminal \*72 prosecutions;

Also a bill (S 10) to amend section 2 of chapter 116 of the revised statutes, regulating fees of trial justices.

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

Sent down for concurrence.

On motion by Mr. BAILEY,

S. 1. Resolve relating to the currency, was taken from the table.

The resolve was read twice, the rules being suspended, and on the question of its passage to be engrossed it was determined in the affirmative, yeas 26, nays 1.

On motion by Mr. BAILEY,

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

Those who voted in the affirmative are :

Messrs. Bailey, Bartlett, Boardman, Bragdon, Burleigh, Cobb, Davis of Cumberland, Davis of Penobscot, Drake, Ferguson, Grindle, Hassell, Haynes, Irish, Learned, Moody, Morrison, Moulton, Nash, Phillips, Rogers, Stevens, Sumner, Totman, Vinton and Woodward—26.

The following Senator voted in the negative :

Mr. Martin of Knox.

So the resolve passed to be engrossed.

Sent down for concurrence.

On motion by Mr. NASH, at 15 minutes past 11 o'clock A. M.,  
The Senate adjourned.

\* WEDNESDAY, JANUARY 16, 1878. \*73

Senate met according to adjournment.

Prayer by Rev. Mr. UPJOHN of Augusta.

The Journal of yesterday was read.

Orders from the House :

That the Committee on Education be requested to inquire whether any further legislation is necessary to more fully secure the objects of chapter 380 of the special laws of 1873, relating to schools in Madawaska territory ;

That the Committee on Education inquire into the expediency of providing some means for the training of teachers in Madawaska territory ;

That the Committee on Fisheries be directed to inquire what appropriation, if any, is necessary the present year to enable the Commissioners of Fisheries properly to carry forward the work of restocking the lakes and streams of Maine with trout, salmon and black bass ;

That the Committee on Financial Affairs inquire into the justice of reducing the valuation of the town of Princeton on account of serious losses by fire ;

That the Committee on Interior Waters inquire if any further legislation is required to compel \*the owners or persons \*74 in control or possession of the dam across the Kennebec river at Augusta, to build and maintain a fish-way in said dam, as required by law ; and to cause the lock on the east end of said dam to be put in proper repair and properly attended, so that the same shall be suitable and convenient for the passage of boats, rafts, steamboats and river crafts, as now required by law ;

Were read and passed in concurrence.

A communication from the Commission appointed under a resolve of 1877, to revise the laws relating to fisheries and game, transmitting a draft of a bill to regulate and protect fisheries and propagation of fish, and also a draft of an act for the protection of game and birds, came from the House with the bill to regulate

and protect fisheries and propagation of fish referred to the Committee on Fisheries, and the bill for the protection of game and birds referred to the Committee on Legal Affairs, and were referred in concurrence.

Petition of selectmen and agent of the town of Roxbury, for reimbursement of State tax overpaid ;

Petition of John Carver and others, praying for repayment of money paid by them to the State for Lassell's island ;

Were referred to the Committee on Claims in concurrence.

Petition of D. W. Sawyer and others, praying that a pension be granted to Mrs. Betsey Tibbetts, was referred to the Committee on Pensions in concurrence.

Petition of the Female Orphan Asylum of Portland, for aid for support of children of soldiers in the late war of the rebellion, was referred to the \* Committee on Military Affairs in concurrence.

Petition of D. P. Parker and others, for legislation to make valid the doings of School District No. 18 of Gorham, was referred to the Committee on Legal Affairs in concurrence.

The credentials of Joseph M. Socklexis, representative of the Penobscot Indians, was referred to the Committee on Indian Affairs in concurrence.

Petition of William N. Perkins and others, for the protection of smelt fishing in Bagaduce river in Hancock county, was referred to the Committee on Fisheries in concurrence.

Petition of F. E. Nute and others, for a geological survey of the State ;

Petition of Samuel M. Marsh and others of East Machias, for a mineral survey of the State ;

Were referred to the Committee on Financial Affairs in concurrence.

Petition of C. A. Blake and others, for legislation prohibiting the throwing of sawdust, shavings and other rubbish into Wilson pond and its tributaries in the city of Auburn ;

Petition of E. D. Haley and others ;

Petition of D. W. Hunt and others,—severally for legislation to

prohibit the throwing of slabs and other refuse into the Kennebec river and its tributaries ;

Remonstrance of John Carney and others ;

Remonstrance of Moses Townsend and others ;

Remonstrance of Josiah Maxcy and others ;

Remonstrance of Horace Adams and others ;

Remonstrance of C. B. Foster and others ;

Remonstrance of H. A. Morrill and others ;

Remonstrance of Thomas S. Emery and others,—severally against legislation to prohibit the throwing of slabs and other refuse into the Kennebec river ;

Were referred to the Committee on Interior \* Waters in \*76 concurrence.

Petition of the Kennebec Bar ;

Petition of N. G. H. Pulsifer and others ;

Petition of Charles Jewett and others,—severally for the establishment of a Superior Court in Kennebec county ;

Were referred to the Kennebec County Delegation in concurrence.

Petition of William R. Day and others, for bounty on bears, came from the House referred to the Committee on Agriculture.

The Senate non-concurred and referred the petition to the Committee on the Judiciary.

Sent down for concurrence.

Petition of overseers of the poor of Poland, for an amendment of section 14, chapter 24 of the revised statutes, relating to binding out minor children ;

Petition of William R. Day and others, for lien on hemlock bark ;

Petition of citizens of Auburn, for an amendment of city charter ;

Petition of E. E. Holt and others ;

Petition of Charles A. Merrill and others ;

Petition of James E. Stevens and others ;

Petition of E. N. Mayo and others ;

Petition of F. D. Jenkins and others ;

Petition of F. T. Meaher and others ;

Petition of George Walker and others,—severally for legislation respecting suits for mal-practice ;

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

Petition of Henry C. Spooner ;

Petition of Henry C. Glidden,—respectively for lot of land ;

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

Petition of Major Kelley and others, for the annexation of Washington plantation to the town of Wilton ;

\*77 \* Petition of Jeremiah Tolman and others, praying that the seventh ward, Rockland, be set off from said city and incorporated as a town ;

Remonstrance of George H. Gleason, against annexing any part of the town of Roxbury to the town of Mexico ;

Were referred to the Committee on Towns in concurrence.

Petition of George B. Cutler and others, for legislation to authorize the sale of lager beer by license ;

Petition of Nelson Vickery and others ;

Petition of P. W. Merrill and others ;

Petition of P. J. Robinson and others ;

Petition of Ivory Lowe and others ;

Petition of Daniel C. Libbey and others ;

Petition of E. H. Mayo and others ;

Petition of F. A. Rogers and others ;

Petition of Charles P. Chandler and others ;

Petition of M. S. Putnam and others ;

Petition of W. H. Green and others ;

Petition of A. W. Lovejoy and others ;

Petition of Herbert W. Olis and others ;

Petition of F. L. Barrett and others ;

Petition of Thomas B. Merrill and others ;

Petition of William H. Clifford and others ;

Petition of Y. L. Davis and others,—severally for an amendment of chapter 204 of the public laws of 1877, relating to apothecaries ;

Were referred to the Committee on Temperance in concurrence.

H. R. 2. Resolve to amend chapter 133 of the resolves of 1867, was referred to the Committee on Indian Affairs in concurrence.

H. R. 17. A bill to vest the franchise and property of the proprietors of Merrymeeting bridge in the inhabitants of the county of Sagadahoc, was referred to the Committee on Ways and Bridges in concurrence.

H. R. 18. A bill to amend chapter 24 of the revised statutes, relating to the settlement of paupers, was referred to the Committee on Legal Affairs in concurrence.

H. R. 19. A bill to abolish the August term of \*the \*78 Supreme Judicial Court in the county of Kennebec;

H. R. 20. A bill to facilitate the prompt administration of justice, by establishing a Superior Court in the county of Kennebec;

Were referred to the Committee on the Judiciary in concurrence.

H. R. 21. A bill additional to section 3, chapter 11 of the revised statutes, relating to the abolition of school districts, was referred to the Committee on Education in concurrence.

H. R. 22. A bill additional to chapter 68 of the revised statutes, relating to the appointment of trustees;

H. R. 23. A bill to incorporate the Cumberland Club;

Were referred to the Committee on the Judiciary in concurrence.

On motion by Mr. NEALLEY,

*Ordered*, That the Committee on the Judiciary be instructed to consider the expediency of so amending chapter 107 of the public laws of 1876, "an act additional to chapter 4 of the revised statutes, relating to elections," as to require the board of aldermen in cities to be in session not more than three days for the purposes provided in said act.

On motion by Mr. MORRISON,

*Ordered*, That the Committee on Agriculture inquire into the expediency of amending section 1, chapter 200 of the public laws of 1877, so as to determine and fix the age at which dogs shall be liable to the registration provided in said section.

On motion by Mr. BURLEIGH,

*Ordered*, That the Committee on State Lands \*and State \*79 Roads inquire into the justness of the claim of George F. Foster, for money paid for taxes assessed on township No. 4,

range 5, north of Bingham's Kennebec Purchase, in the county of Somerset.

On motion by Mr. BAILEY,

*Ordered*, That the Committee on Financial Affairs consider the expediency of the appointment of a commission consisting of five persons, members of the present Legislature or otherwise, whose duty it shall be to sit during the recess and "to ascertain whether all forms of individual and corporate property within the State are now bearing their equal shares of the public burdens;" also to suggest new sources of revenue to the State, and to recommend to the next Legislature some plan of legislation by which the assessment of the State tax may be made equitable.

On motion by Mr. STEVENS,

*Ordered*, That the Committee on the Judiciary inquire into the expediency of amending section 56 of chapter 113 of the revised statutes, so that said section shall not conflict with section 9 of chapter 116 of said statutes.

On motion by Mr. MARTIN,

*Ordered*, That the papers relating to the claim of Benj. Smith of Appleton, for pension, referred from the last Legislature, be taken from the file and referred to the Committee on Pensions.

Mr. NEALLEY presented the petition of B. R. Buker and others, for legislation to authorize the town of Hampden to receive money to keep in repair any cemeteries in said town.

Mr. BAILEY presented the petition of Benj. True, for legislation to legalize his doings as a justice of \*the peace. \*80

Mr. NEALLEY presented a bill (S. 11) to authorize the town of Hampden to receive money to keep in repair any cemeteries in said town.

Mr. BAILEY presented a bill (S. 12) to make valid the doings of Benj. True as a justice of the peace.

Mr. PRINCE presented a bill (S. 13) to amend section 1 of chapter 38 of the public laws of 1876, relating to the protection of game;

Also a bill (S. 14) to promote the safety of the travelling public.

Mr. NEALLEY presented a bill (S. 15) to incorporate the Bangor Board of Trade.

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

Severally sent down for concurrence.

Mr. DAVIS of Penobscot presented a bill (S. 16) relating to the assignment of rights and credits and mortgages by executors, administrators and trustees ;

Also a bill (S. 17) to amend section 40, chapter 140 of the revised statutes, relating to the term of imprisonment of convicts in the State Prison ;

Also a bill (S. 18) additional to chapter 88 of the revised statutes, relating to the partition of real estate.

Mr. DAVIS of Cumberland presented a bill (S. 19) to incorporate the Presumpscot Water Power Company.

The foregoing bills (S. 16—19) were referred to the Committee on the Judiciary.

Sent down for concurrence.

Mr. HASSELL presented a bill (S. 20) to amend chapter 363 of the special laws of 1877, relating to the throwing of refuse into the Piscataquis river, \* which was referred to the Committee on Interior Waters. \*81

Sent down for concurrence.

Mr. MORRISON presented a bill (S. 51) additional to chapter 49 of the revised statutes, relating to fire insurance, which was referred to the Committee on Mercantile Affairs and Insurance.

Sent down for concurrence.

Mr. HAYNES, from the Committee on the Judiciary, to whom was referred a bill (S. 3) to increase the capital stock of the Augusta Water Company, reported the same in a new draft and that it ought to pass.

Mr. BOARDMAN, from the Committee on State Lands and State Roads, to whom was referred the petition of Lincoln E. Sprague, reported a resolve (S. 2) in favor of Lincoln E. Sprague.

These reports were accepted, the bill and resolve each read once, and to-morrow assigned for their second reading.

On motion by Mr. NASH, at 7 minutes past 11 o'clock A. M.,  
The Senate adjourned.

\*82

\* THURSDAY, JANUARY 17, 1878.

Senate met according to adjournment.

Prayer by Rev. Mr. PENNEY of Augusta.

The Journal of yesterday was read.

Orders from the House :

That the Committee on Agriculture inquire into expediency of encouraging the importation and breeding of thoroughbred herd-book stock, by offering special premiums or other necessary aid ;

That the Committee on Agriculture take into consideration the provisions of chapter 200 of the laws of 1877, relating to mischievous dogs, and report by bill or otherwise what changes, if any, should be made in said chapter ;

That the Committee on Banks and Banking inquire into the expediency of amending section 10 of an act entitled "an act to revise and consolidate the laws relating to the government, powers, duties, privileges and liabilities of savings banks and institutions for savings," approved February 9, 1877, by adding after the word "accept" the words "loans on vessel property are hereby prohibited ;"

That the Committee on Fisheries inquire into the expediency of changing the law in regard to fish weirs, so that where two or more weirs are built near each other, they shall extend an

\*83 equal \* distance from low water mark ;

Were read and passed in concurrence.

That the Committee on Financial Affairs be authorized to visit the Maine General Hospital at Portland, and report what sum of money the State has appropriated for said hospital, and what number of patients said hospital could reasonably accommodate if its whole room was made available, was read.

Mr. BAILEY proposed to amend the order by adding the words "and inquire into any other matter relating thereto."

The amendment was agreed to and the order passed.

Sent down for concurrence.

That the Committee on Financial Affairs inquire into the condition of our Free High School System, and the necessity of its continuance; into the condition and necessity of continuing the Fish Commissioners and wardens, or the propagation of fish; also into the necessity of continuing the expenditures for military purposes, with a view to abolish or so modify all or a part of said institutions that the people may gain some relief from their accumulated burdens, came from the House read and passed and was read and refused a passage.

Sent down for concurrence.

That the Committee on Indian Affairs be directed to inquire what legislation, if any, is necessary to enable the Governor of the Penobscot Tribe of Indians to obtain copies of all accounts which the agent of said tribe is required to lay before the Governor and Council of this State, \*as provided by a re- \*84 solve of the Legislature of Maine, approved March 27, 1858;

That the Committee on the Judiciary inquire into the expediency of reorganizing our judiciary system, so as to establish a superior court in each county in the State, on similar principles of those embraced in the act presented and proposed for Kennebec county; and in that event inquire into the propriety of reducing the number of judges of the Supreme Court;

That the Committee on the Judiciary be instructed to inquire into the expediency of so amending section 2, chapter 124 of public laws of 1873, that money appropriated by the State to support free high schools shall be expended for the same;

Were read and passed in concurrence.

That the Committee on the Judiciary be directed to inquire into the expediency of reporting a resolve for the purchase of fifty copies each of volumes 15, 16, 17, 18, 19 and 20, Maine reports, to be placed in the State Library for the use of the State, was read.

Mr. HAYNES proposed to amend the order by striking out the words "the Judiciary" and inserting the word "Library."

The amendment was agreed to and the order passed.

Sent down for concurrence.

That the Committee on Legal Affairs inquire into the expediency of so amending chapter 66 of the revised statutes, that costs may

be allowed parties in contested cases before commissioners of insolvency, was read and passed in concurrence.

\*85 \* That the petition of Vetal D'Aigle et als., for assistance to build a mill on the north part of township No. 17, range 6, be taken from the files of unfinished business of last year's Legislature and referred to the Committee on State Lands and State Roads, came from the House read and passed, and was laid on the table without action by the Senate.

Petition of N. E. Hall and others, for legislation to prevent the killing of deer, moose and caribou in the county of Waldo, came from the House referred to the Committee on Agriculture.

The Senate non-concurred, and referred the petition to the Committee on Legal Affairs.

Sent down for concurrence.

Petition of William Swett and others, for an appropriation in aid of the Maine Dairymen's Association, was referred to the Committee on Agriculture in concurrence.

Petition of the municipal officers of Gouldsboro', for reimbursement of school money withheld in the apportionment of 1875, was referred to the Committee on Education in concurrence.

Petition of F. L. Carney and others, for amendment of section 50, chapter 40 of the revised statutes, relating to migratory fishes, was referred to the Committee on Fisheries in concurrence.

Petition of F. Stevens and others, for legislation to prevent the throwing of slabs and other refuse into the Kennebec river and tributaries ;

Remonstrance of Oliver Moulton and others ;

Remonstrance of H. B. Rackliff and others ;

Remonstrance of Joseph Varney and others ;

Remonstrance of Levi W. Weston and others ;

Remonstrance of A. B. Bates and others,—severally against  
\*86 legislation to prevent \* the throwing of certain refuse into the Kennebec river and tributaries ;

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

Petition of the Governor and Lt. Governor of the Penobscot Indians and others, for appropriations for salary of the Governor

and Lt. Governor; for the salary of the priest; for schools; and for farming purposes;

Petition of Stephen Stanislos and others, for an appropriation to repair the school-house on Mattanawcook island;

Were referred to the Committee on Indian Affairs in concurrence.

Petition of David McKenney and others, for legislation to legalize the records of the First Christian Society of Saco;

Petition of the selectmen and others of Cooper, for legislation to legalize the doings of said town;

Petition of James Ripley and others, for a lien on hemlock bark;

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

Petition of A. H. Barton and others, for the establishment of a Superior Court in Kennebec county, was referred to the Kennebec County Delegation in concurrence.

Petition of Ephraim Witham and others, for an amendment of section 34, chapter 91 of the revised statutes, so as to provide a lien on lumber for labor and material furnished for carrying on the lumber business, came from the House referred to the Committee on Legal Affairs.

The Senate non-concurred, and referred the \*petition to \*87 the Committee on the Judiciary.

Sent down for concurrence.

Petition of James P. White and others;

Petition of Charles E. Sweron and others;

Petition of R. C. Willey and others;

Petition of H. P. Dewey and others;

Petition of M. S. Wilson and others;

Petition of R. C. Taylor and others;

Petition of H. C. Baxter and others;

Petition of W. C. Towle and others;

Petition of S. H. Boynton and others;

Petition of W. H. Titcomb and others;

Petition of George Parcher and others;

Petition of Henry H. Hunt and others;

Petition of Alfred Mitchell and others;

Petition of B. L. Tibbetts and others,—severally for an amend-

ment of chapter 204 of the public laws of 1877, relating to apothecaries ;

Were each referred to the Committee on Temperance in concurrence.

Petition of Seth T. Holbrook and others, to be set off from the Oxford Village Corporation ;

Petition of Thomas Edes and others, to have certain territory set off from Parkman and annexed to Guilford ;

Remonstrance of E. H. Lyford and others, against the petition of Davis Tillson and others, to have Hurricane island set off from Vinalhaven and organized as a plantation ;

Were referred to the Committee on Towns in concurrence.

Petition of Jeremiah Currier and others, for bounty on bears, referred by the House to the Committee on Agriculture and by the Senate to the Committee on the Judiciary, came from the House, and that branch insists upon its reference to the Committee on Agriculture.

The Senate receded and concurred with the House.

H. R. 24. A bill to repeal chapter 235 of the laws of 1874, authorizing assignees of choses in action to bring actions in their own names ;

\*88 H. R. 25. A bill for the further protection of \*rope used in lumbering ;

H. R. 26. A bill to amend section 7 of chapter 180 of the special laws of 1872, entitled "an act to authorize the city of Portland to aid the construction and western extension of the Portland and Rochester Railroad ;"

Were referred to the Committee on the Judiciary in concurrence.

Report of the Committee on the Judiciary, on the petition of H. H. Miller and others, praying that the bounty on wolves and bears be restored, that the same be referred to the Committee on Agriculture ;

Report of the same Committee, on an order relating to amending chapter 200 of the public laws of 1877, relating to licenses on dogs, that the same be referred to the Committee on Agriculture ;

Report of the Committee on Fisheries, on bill (H. R. 1) to prevent the throwing of refuse lumber into Patten Pond stream in

Surry, Hancock county, that the same be referred to the Committee on Interior Waters ;

Report of the Committee on Education, on bill (H. R. 14) to amend the eighth clause of section 55 of chapter 11 of the revised statutes, relating to school returns, that legislation thereon is inexpedient ;

Were severally accepted in concurrence.

A communication was received from Hon. S. J. Chadbourne, Secretary of State, transmitting the annual report of the Trustees and officers of the State College of Agriculture and the Mechanic Arts for the year 1877, which was read and sent down, and

On motion by Mr. DRAKE, .

*Ordered*, That the report be referred to the \*Committee \*89 on Agriculture.

Sent down for concurrence.

On motion by Mr. TOLMAN,

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

On motion by Mr. HOBSON,

*Ordered*, That the Committee on Legal Affairs inquire into the expediency of enacting a law providing for a uniform scale of logs throughout the State.

On motion by Mr. DAVIS of Penobscot,

*Ordered*, That the Committee on the Judiciary inquire what amendments are necessary to chapter 6 of the revised statutes, relating to the assessment and collection of taxes.

On motion by Mr. MOODY,

*Ordered*, That the Committee on the Judiciary inquire into the expediency of so amending chapter 3, section 10, of the revised statutes, that no municipal officer, member of the superintending school committee, town or plantation clerk, shall be eligible for such positions if unable to read fair and legible writing.

On motion by Mr. WOODWARD,

*Ordered*, That the Committee on the Judiciary inquire into the expediency of amending chapter 149 of the public laws of 1877, relating to judgments.

Severally sent down for concurrence.

On motion by Mr. STEVENS,

\*90 *Ordered*, That the Maine Press Association \*be tendered the use of the Senate Chamber this Thursday evening and to-morrow, Friday afternoon.

Mr. LEARNED presented the petition of Edwin S. Stevens and others, for repeal of the law relating to mischievous dogs, which was referred to the Committee on Agriculture.

Mr. DRAKE presented the petition of James Butterfield for a lien on hemlock bark, which was referred to the Committee on the Judiciary;

Also the petition of John Treat and others, for exemption of liability to build a fishway in their dams in Cold stream, in Enfield, which was referred to the Committee on Fisheries.

Mr. GRINDLE presented the petition of Alexander Monteith and others of Merchant's island, town of Isle au Haut, praying to be set off from said town and annexed to the town of Deer Isle, which was referred to the Committee on Towns.

Mr. HASSELL presented the petition of E. A. Thompson and others.

Mr. BARTLETT presented the petition of C. H. Hussey and others.

Mr. DRAKE presented the petition of W. H. Simmons and others.

These petitions, severally for the amendment of chapter 204 of public laws of 1877, relating to the business of apothecaries, were referred to the Committee on Temperance in concurrence.

The foregoing petitions were sent down for concurrence.

Mr. DAVIS of Penobscot, from the Committee on the Judiciary, to whom was referred the petition \*of Isaac Wilder and others, for the repeal of the act of 1875 relating to sheriffs' fees, reported that the petitioners have leave to withdraw.

The report was accepted.

Sent down for concurrence.

On motion by Mr. NEALLEY, at 11 o'clock A. M.,  
The Senate adjourned.

FRIDAY, JANUARY 18, 1878.

Senate met according to adjournment.

Prayer by Rev. Dr. RICKER of Augusta.

The Journal of yesterday was read.

Orders from the House :

That the Committee on the Judiciary inquire into the expediency of amending section 65, chapter 206 of the laws of 1877, by striking out in the tenth line of said section the word "notice," and inserting therein the word "knowledge ;"

That the petition of the inhabitants of Fort Kent, for aid to build a road from Caribou to Fort Kent, be taken from the files of unfinished legislation of last year and referred to the Committee on State Lands and State Roads ;

That the petition of William D. Orr, for deed of a \* lot of \*92 land, referred from the last legislature, be taken from the files and referred to the Committee on State Lands and State Roads ;

That the Committee on Education inquire into the expediency of so amending the school laws, that common schools supported by individuals in unorganized plantations may, in the discretion of the State Superintendent of Common Schools, receive a share of the school fund in the same proportion as towns now receive ;

That in pursuance of an order of the last Legislature requesting the Superintendent of the Common Schools to make such examination as he may deem necessary looking to the establishment of a normal school in the western part of the State, be it further ordered, that he be requested to report to this Legislature any information or facts that he may have received from localities desiring a normal school, and his own conclusions and judgment in regard to the matter ;

That the Committee on Railroads inquire into the expediency of amending chapter 204 of the public laws of 1874, relating to railroad crossings ;

Were read and passed in concurrence.

Petition of W. W. Thomas and others, for the establishment of a State Board of Health;

Petition of Monroe Young and others of Ellsworth, for the same;

Petition of T. W. Robinson and others, for legislation relating to game;

Petition of J. R. Means and others, for legislation relating to paupers;

Petition of W. A. Wyman and others of Barnard, for an abatement of State tax;

\*93 \* Were severally referred to the Committee on Legal Affairs in concurrence.

Petition of Frank Brown and others;

Petition of Henry C. Reed and others;

Petition of John W. Walker and others;

Petition of John M. Eustis and others;

Petition of A. O. Noyes and others;

Petition of Otis Hayford and others;

Petition of Enoch Foster, Jr., and others;

Petition of Thomas Baker and others,—severally for the removal of the shire town of Oxford county from Paris to Norway, came from the House referred to the Committee on Legal Affairs.

The Senate non-concurred, and referred the petitions to the Committee on the Judiciary.

Sent down for concurrence.

Petition of Frank Sanborn and others, for an amendment of the special law relating to fish in East Machias river, was referred to the Committee on Fisheries in concurrence.

Petition of John Woodbury and others;

Petition of H. A. Priest and others,—severally for the establishment of a Superior Court in Kennebec county;

Were referred to the Kennebec County Delegation in concurrence.

Petition of R. H. Heminway and others;

Petition of S. C. Penney and others;

Petition of Warren N. Springer and others;

Petition of R. P. Jenness and others;

Petition of E. G. Reynolds and others;

Petition of J. Robbins and others ;  
Petition of J. E. Merrill and others ;  
Petition of J. W. Carsley and others ;  
Petition of G. N. Harden and others ;  
Petition of H. G. Allen and others ;  
Petition of Joseph A. Homan and others ;  
Petition of F. H. Blake and others ;

Petition of George G. Pierce and others,—severally for an amendment of chapter 204 of the public laws of 1877, relating to apothecaries ;

Were referred to the Committee on Temperance in concurrence.

Petition of Oliver Young and others, for repeal of chapter 363 of the special laws of 1877, relating to the throwing of refuse into the Piscataquis river ;

Petition of H. P. Chandler and others, for the same ;

\* Petition of G. A. Colburn and others, for legislation to \*94 prevent the throwing of certain refuse into the Kennebec river ;

Petition of J. C. McIntyre and others, for a charter to establish and maintain a toll dam at the foot of St. Croix lake, in township 8, range 4, in Aroostook county ;

Petition of Horace Cole, for a charter to navigate Pennesseewasee pond in Norway by steam ;

Were referred to the Committee on Interior Waters in concurrence.

Petition of G. W. Hows, for reimbursement of money paid by him for land in Ashland, termed treaty lots ;

Petition of S. W. Springer ;

Petition of Ezekiel LeVasseur ;

Petition of William Reed,—respectively for deeds of lots of land ;

Petition of inhabitants of Madawaska, for the purchase of proprietors' lots in said town ;

Petition of John F. Sprague and others, in aid of the petition for an appropriation on a road in Mayfield ;

Petition of Levi Sears and others, for an appropriation to build a road through township No. 18, range 6, in Aroostook county ;

Petition of William M. Cyr and others, for aid in building a bridge in township No. 17, range 8, Aroostook county ;

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

Petition of J. F. Sprague and others, for the repeal of the law of 1877, relating to mischievous dogs, was referred to the Committee on Agriculture in concurrence.

\*95 \* Petition of Alex. Monteeth and others, to be set off from the town of Isle au Haut and annexed to Deer Isle ;

Remonstrance of John H. Burr and others, against the setting off of Merchant's island from Isle au Haut to Deer Isle ;

Petition of Isaac Orbeton and others, for the division of the city of Rockland and the incorporation of the Seventh Ward as a town ;

Remonstrance of A. A. West and others, against setting off certain territory from Roxbury and annexing the same to the town of Andover ;

Remonstrance of A. L. Robinson and others, against the annexation of any part of Crystal plantation to the town of Sherman ;

Were referred to the Committee on Towns in concurrence.

Petition of James Ripley and others, for legislation providing a bounty on wolves and bears, was referred to the Committee on Agriculture in concurrence.

Petition of selectmen of Princeton, for reduction of State valuation, was referred to the Committee on Financial Affairs in concurrence.

Petition of the Maine Historical Society, for a reduction of the number of volumes which the State is entitled to receive under the agreement of 1868, was referred to the Committee on Library in concurrence.

Petition of W. and C. R. Milliken and others of Portland, for an amendment of the revised statutes, relating to the weight of beans, was referred to the Committee on Mercantile Affairs and Insurance in concurrence.

\*96 \* Petition of W. A. Potter and others, for legislation vesting the franchise of the People's Ferry Company in the county of Sagadahoc, was referred to the Committee on Ways and Bridges in concurrence.

The petition of William R. Day and others, for bounty on wolves and bears, came from the House, and that branch insists upon its reference to the Committee on Agriculture.

The Senate receded and concurred.

H. R. 27. A bill to encourage the planting of trees ;

H. R. 28. A bill to prevent frauds in commercial fertilizers ;

Were referred to the Committee on Agriculture in concurrence.

H. R. 29. A bill providing for payment of certain rents now in suit to the agent of the Penobscot tribe of Indians, was referred to the Committee on Indian Affairs in concurrence.

H. R. 30. A bill in relation to insolvent laws of the State of Maine ;

H. R. 31. A bill in addition to chapter 51 of the revised statutes, relating to mortgages of corporations ;

H. R. 32. A bill relating to coroners ;

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

H. R. 33. A bill additional to chapter 151 of the public laws of 1868, was referred to the Committee on Legal Affairs in concurrence.

H. R. 34. A bill to amend chapter 192 of the public laws of the year 1877, providing for bridge guards on railroads ;

\* H. R. 35. A bill additional to chapter 51 of the revised statutes, to further provide for safety on railroads ;

Were referred to the Committee on Railroads in concurrence.

H. R. 3. Resolve granting two lots of land in the north half of township No. 17, range 6, was referred to the Committee on State Lands and State Roads in concurrence.

H. R. 4. Resolve in favor of the inhabitants of Barnard, in the county of Piscataquis, was referred to the Committee on Legal Affairs in concurrence.

H. R. 5. Resolve relating to the purchase of Maine Reports, came from the House referred to the Committee on the Judiciary.

The Senate non-concurred, and referred the resolve to the Committee on Library.

Sent down for concurrence.

Report of the Committee on Legal Affairs, on the petition of John Willey and others, for an amendment of the law relating to division fences, that the petitioners have leave to withdraw, was accepted in concurrence.

Report of the same Committee, on the petition of the town of Limestone, for legislation to legalize the doings of the officers of said town, that the petitioners have leave to withdraw, came from the House accepted, and

On motion by Mr. MORRISON,

*Ordered*, That the report be recommitted.

Sent down for concurrence.

Report of the same Committee, on bill (H. R. 18) to amend \*98 chapter 24 of the revised statutes, \*relating to the settlement of paupers, that the same ought not to pass, was accepted in concurrence.

The following communication was received, read and sent down :

STATE OF MAINE.

EXECUTIVE DEPARTMENT,  
Augusta, January 18, 1878. }

*To the President of the Senate and*

*Speaker of the House of Representatives :*

In conformity to the requirements of section 11, part first, article five of the Constitution, I have the honor to communicate to the Legislature herewith each case of reprieve, remission of penalty or commutation or pardon, granted by me in the year eighteen hundred and seventy-seven, 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.

A communication was received from Hon. S. J. Chadbourne, Secretary of State, transmitting the annual report of the Inspectors and Warden of the Maine State Prison, for the year 1877, which was read, and

On motion by Mr. IRISH,

*Ordered*, That the report be referred to the Committee on State Prison.

Sent down for concurrence.

On motion by Mr. MOULTON,

*Ordered*, That the Committee on Legal Affairs inquire into the expediency of so amending \*the law in relation to liens \*99 as to give owners of blooded stallions a lien on the colt for the space of four months after foal, in case where the terms of service are twenty dollars or more.

On motion by Mr. HAYNES,

*Ordered*, That the Committee on Fisheries inquire if any legislation is necessary to compel the proprietors of dams across the Kennebec river at Waterville, Fairfield and Skowhegan to construct and maintain fishways in said dams.

On motion by Mr. MARTIN,

*Ordered*, That the Committee on Claims be authorized to investigate the claim of William N. Quinn and others of Eagle Island plantation, relating to reimbursement of money expended by them during the war of the rebellion in excess of their quota.

On motion by Mr. NEALLEY,

*Ordered*, That the Committee on Banks and Banking inquire into the expediency of providing by amendment to section 9, chapter 33 of the revised statutes, that all checks, bills of exchange or drafts, appearing on their face to have been drawn upon any bank or upon any banking association, or individual banker carrying on banking business under acts to authorize the business of banking, which are on their face payable on any specified day or in any number of days after the date or sight thereof, shall be deemed due and payable on the day mentioned for the payment of the same, without any days of grace being allowed, and it shall not be necessary to protest the same for non-acceptance.

On motion by Mr. TOLMAN,

*Ordered*, That the Committee on Railroads inquire \*into \*100 the expediency of prohibiting by sufficient penalties the running of excursion trains on the Sabbath day.

The foregoing orders were sent down for concurrence.

On motion by Mr. NEALLEY,

*Ordered*, That when the Senate adjourns it be until two o'clock P. M. on Monday.

Mr. DAVIS of Penobscot presented the petition of V. A. Sprague and others, for legislation to prohibit fishing in Dexter pond for a term of years, which was referred to the Committee on Fisheries.

Mr. HAYNES presented the petition of S. B. McCausland and others, for legislation to prevent the throwing of certain refuse into the Kennebec river, which was referred to the Committee on Interior Waters.

Mr. DRAKE presented the petition of G. H. Haskell and others, for lien on hemlock bark, which was referred to the Committee on the Judiciary.

Mr. BURLEIGH presented the petition of J. E. Estes and others, for an appropriation to repair the State bridge across Molunkus stream in Macwahoc plantation ;

Also the petition of J. E. Estes and others, for an appropriation to rebuild a bridge across Macwahoc stream in said plantation ;

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

Mr. IRISH presented the petition of Gilbert Barrett and others, in aid of the petition of E. G. Harlow and others, for an appropriation for a bridge across the Androscoggin river in Dixfield, which was referred to the Committee on Ways and Bridges.

\*101 \* Mr. MORRISON presented the petition of Joel Wilber and others, for legislation relating to the protection of fish in certain waters, which was referred to the Committee on Fisheries.

Mr. ROGERS presented the petitions of A. J. Fuller and others ; of George H. Clark and others ; of R. D. Bibber and others, and of Charles H. Packard and others.

Mr. HOBSON presented the petition of C. J. Emery and others.

Mr. SUMNER presented the petition of C. B. Blanchard and others.

Mr. HAYNES presented the petition of C. P. Hannaford and others.

Mr. DRAKE presented the petition of Edwin Moore and others.

Mr. DAVIS of Penobscot presented the petition of A. J. Jordan and others.

Mr. WOODWARD presented the petition of Robert Dixon and others.

Mr. BURLEIGH presented the petition of J. B. Hutchinson and others.

These petitions, severally for an amendment of chapter 204 of the public laws of 1877, relating to the business of apothecaries, were each referred to the Committee on Temperance.

The foregoing petitions were sent down for concurrence.

Mr. DAVIS of Penobscot presented a bill (S. 21) in relation to disorganized towns, which was referred to the Committee on the Judiciary.

Mr. DRAKE presented a bill (S. 22) to incorporate the Penobscot and Washington Union Agricultural Society, which was referred to the Committee \* on Agriculture. \*102

These bills were sent down for concurrence.

Mr. BAILEY, from the Committee on Financial Affairs, to whom was referred the accounts of the State Treasurer for the year 1877, 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, 1877, submit the following report :

We hereby certify that we have examined the books in the Treasurer's office and find the various accounts are correctly cast, properly vouched, and agreeing with his report presented to the Legislature. The amount of cash on hand December 31, 1877, was \$230,532.90, of which \$219,074.37 is deposited in banks in this State and in the Suffolk National Bank of Boston, as appears by the vouchers received from the several cashiers ; \$6,998.73 in bonds of the State of Maine ; and \$4,459.80 in bank notes and specie. The bonds and coupons paid during the last year, together with the coupon bonds exchanged and registered bonds transferred, have been destroyed by burning in our presence, and due record of the fact has been made according to law, viz :

Public debt paid during the year 1877, \$46,500 ; coupons paid during the year 1877, \$257,382 ; coupon bonds exchanged for registered, \$150,000 ; registered bonds transferred \$13,000.

The whole amount of interest paid during the year was \$354,207, composed of the following items:

*103	* Interest on coupon bonds .....	\$257,382
	Interest on registered bonds .....	96,780
	Interest on warrant .....	45
	Total. ....	\$354,207

All of which is respectfully submitted.

(Signed) JAMES BAILEY, }  
ROSCOE L. BOWERS, } *Chairmen.*

The report was accepted.

Sent down for concurrence.

On motion by Mr. BAILEY,

*Ordered*, That a message be sent to the House of Representatives, proposing a Convention of both branches of the Legislature in the Representatives' Hall to-day at ten minutes past eleven o'clock, for the purpose of electing a State Treasurer for the current fiscal year, 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. STEVENS, from the Committee on the Judiciary, on an order relating to amending the law so as to create a lien upon personal property for taxes amounting to five dollars, reported that legislation thereon is inexpedient.

Mr. DAVIS of Penobscot, from the same Committee, on a bill (S. 8) to amend section 9 of chapter 132 of the revised statutes, regulating fees of complainants, reported that the same ought not to pass.

These reports were accepted.

Sent down for concurrence.

\*104 \* Mr. HAYNES, from the Committee on the Judiciary, on an order, reported a bill (S. 23) to amend section 32 of chapter 4 of the revised statutes as amended by chapter 213 of the public laws of 1877, relating to elections.

Mr. DAVIS of Penobscot, from the same Committee, on an order, reported a bill (S 24) to amend section 2 of chapter 106 of

the revised statutes, relating to the lists and qualifications of jurors.

These reports were severally 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 and resolve :

S. 3. An act to increase the capital stock of the Augusta Water Company ;

S. 2. Resolve in favor of Lincoln E. Sprague ;

Which were each read a second time and passed to be engrossed.

Sent down for concurrence.

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

#### IN CONVENTION.

On motion by Mr. MOODY of the Senate,

Messrs. Moody of York, Martin of Knox, of the Senate ; Messrs. Weeks of Augusta, Parkhurst of Maysville, Hill of Bucksport, Taylor of Biddeford and Knight of Sweden 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 \*105 as follows :

The whole number of votes is.....	135
Necessary for a choice .....	68
Esreff H. Banks has .....	94
Albert Moore .....	41

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

On motion by Mr. PRINCE of the Senate,

*Ordered*, That the Secretary of the Senate be directed to notify E. H. Banks that he has been duly elected Treasurer of State for the current fiscal year.

The Convention then dissolved.

## IN SENATE.

On motion by Mr. ROGERS, at 25 minutes past 11 o'clock A. M.,

The Senate adjourned.

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MONDAY, JANUARY 21, 1878.

Senate met according to adjournment.

Prayer by Rev. Mr. TILDEN of Augusta.

The Journal of Friday was read.

Orders from the House :

That the Committee on Legal Affairs inquire into the expediency of so amending the law in \*relation to liens as to give owners of blooded stallions a lien on the colt for the space of four months after foal, in certain cases, came from the House non-concurred, and referred by that branch to the Committee on Agriculture.

The Senate receded and concurred.

That the Committee on Agriculture inquire into the expediency of encouraging the importation and breeding of thoroughbred horses, sheep and swine ; also of raising wheat, corn and sugar beets by offering special premiums or other necessary aid ;

That the Committee on the Judiciary inquire into the expediency of adding to chapter 127 of the revised statutes, entitled "Malicious mischief," a clause which shall prescribe adequate punishment to any one who shall wilfully or maliciously poison, defile or in any way adulterate any well, spring, brook, reservoir or other water used for domestic purposes ;

That the Committee on the Judiciary inquire into the expediency of amending chapter 141 of the laws of 1873, so that all expenses for any girl committed to the Maine State Industrial School, whose legal settlement is not in any city or town in this State, shall be charged to the State the same as expenses for boys committed to the Reform School, whose legal settlement is not in the State ;

That the Committee on Legal Affairs be directed to take into consideration the statutes relating to the recovery of damages for injuries received from defective highways, and inquire into the expediency of so amending the statute as to give an honest claimant a remedy against the town in \*such cases, and \*107 yet protect the equitable and just rights of all parties, and to inquire what legislation is necessary for such purposes ;

That the Committee on State Lands and State Roads inquire into the sale of reserved lands in township 13, range 6, and 12, range 5, Aroostook county, made in 1855 and 1862, and ascertain what are the rights of the inhabitants of said townships in relation thereto ;

That the Committee on State Lands and State Roads inquire into the expediency of authorizing the Land Agent to convey to the person rightfully entitled to it, the southwest part of section 52 in township No. 4, range 5, west from the east line of the State, waiving further settling duties ;

That the Committee on Education be directed to make such examination and investigation as may be deemed necessary, looking to the establishment of a normal school in the western part of the State, giving all parties interested opportunity to be heard ;

That the Committee on Indian Affairs take into consideration chapter 267 of the acts of 1873, and report what amendment, if any, is necessary to make it more efficient ;

That the Committee on Legal Affairs inquire what, if any, legislation is necessary to enable plaintiffs in civil suits to attach the goods and estate of defendants after service and during the proceeding of actions in court ;

That the Superintendent of Common Schools be directed to examine into the condition of the several academies, seminaries and institutions of learning, that have received from time to time State aid, and ascertain whether the condition on \*which \*108 grants of land and money have been furnished to said institutions are complied with ; also what may seem in his judgment the better course for the State to pursue in order to make available in the interest of education the large amount of property invested in real and personal estate, rendered comparatively use-

less in consequence of the free high school law, and report to the next Legislature ;

Were severally read and passed in concurrence.

Petition of John Allen, for a grant of land in payment of a claim on land deeded by the State, was referred to the Committee on Claims in concurrence.

Petition of W. W. Hamblet, to be set off from School District No. 3 in Concord, and annexed to School District No. 4 in Embden, was referred to the Committee on Education in concurrence.

Petition of Fred Atwood and others, for a geological survey of the State, was referred to the Committee on Financial Affairs in concurrence.

Petition of John T. Hoskins and others, for authority to establish a ferry across the Penobscot river, between Bangor dam and Veazie, was referred to the Committee on Interior Waters in concurrence.

Certificate of election of Peter Salmore as delegate from the Passamaquoddy tribe of Indians, was referred to the Committee on Indian Affairs in concurrence.

Petition of the selectmen of Warren, for an amendment of the law regulating the shad and alewife fishery in said town ;

Petition of Timothy Burgess and others, for legislation to prevent the destruction of bass in Winnegance creek ;

Were referred to the Committee of Fisheries in concurrence.

\*109 \*Petition of Alden Rice and others ;

Petition of S. C. Whitmore and others,—severally for the establishment of a Superior Court in Kennebec county ;

Were referred to the Kennebec County Delegation in concurrence.

Petition of William A. McFarland and others ;

Petition of W. B. Young and others ;

Petition of S. H. J. Berry and others,—severally for the establishment of a State Board of Health ;

Petition of O. D. Bailey and others, for legislation to make valid the doings of the North and West Auburn Cheese Company ;

Petition of H. B. Cornor and others, for legislation requiring the plaintiff in suits for mal-practice to give bond for costs;

Petition of W. V. Tainter and others, for legislation to make valid the doings of Union School District No. 1 in Carthage, No. 19 in Wilton and No. 12 in Dixfield;

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

Petition of Daniel Field and others of Auburn, for an amendment of the city charter of said city;

Petition of David Stearns and others;

Petition of W. H. Porter and others;

Petition of Henry M. Libby and others;

Petition of C. H. Haskell and others;

Petition of Varanus DeCoster and others;

Petition of John Haselton and others;

Petition of John N. Irish and others;

Petition of Henry Upton and others,—severally for the removal of the shire town of Oxford county from Paris to Norway;

Remonstrance of C. C. Cushman and others;

Remonstrance of E. R. Holmes and others;

Remonstrance of William H. Atwood and others;

Remonstrance of Seth W. Fife and others;

Remonstrance of John Black and others;

Remonstrance \* of William C. Pearce and others; \*110

Remonstrance of George W. Patch and others;

Remonstrance of Stephen W. Libby and others;

Remonstrance of George C. Rowe and others;

Remonstrance of George R. Bean and others;

Remonstrance of Peter B. Young and others;

Remonstrance of Sidney Perham and others,—severally against the removal of the shire town of Oxford county from Paris to Norway;

Were referred to the Committee on the Judiciary in concurrence.

Petition of Willmot Walker, for a pension, was referred to the Committee on Pensions in concurrence.

Petition of John Allen and others, for charter of a railroad from the Aroostook river, near Presque Isle, to the Penobscot river,

near Mattawamkeag, to be called the Aroostook and Penobscot Railroad Company ;

Petition of John B. Brown and others, for authority to increase the capital stock of the Atlantic and St. Lawrence Railroad Company ;

Were referred to the Committee on Railroads in concurrence.

Petition of Jeremiah Crouse, for deed of land, waiving settling duties ;

Petition of Elbridge D. Crouse, for a lot of land ;

Petition of James W. Ambrose, for legislation authorizing the Land Agent to convey certain lots of land in township No. 2, range 5, west from the east line of the State, waiving settling duties ;

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

Petition of John H. Burr and others, for an amendment of chapter 136 of the special laws of 1872, relating to the running at large of cattle in the town of Isle au Haut :

\*111 \* Remonstrance of John Wadell and others, against the incorporation of Castle Hill plantation as a town ;

Remonstrance of James Cunningham and others, against the annexation of any part of Crystal plantation to the town of Sherman ;

Petition of Alden N. Brown and others ;

Petition of John W. Kiff and others ;

Petition of Thomas B. Spear and others ;

Petition of George Smith and others,—severally for the incorporation of the Seventh Ward of the city of Rockland as a town ;

Remonstrance of Richard C. Hall and others ;

Remonstrance of Caleb G. Moffitt and others ;

Remonstrance of Philo Thurston and others ;

Remonstrance of John T. Berry and others ;

Remonstrance of William H. Rhodes and others ;

Remonstrance of Francis Cobb and others,—severally against the division of the city of Rockland ;

Were severally referred to the Committee on Towns in concurrence.

Petition of a public meeting in Portland, for legislation making the illegal sale of intoxicating liquors a felony ;

Petition of Stephen Richardson and others ;

Petition of Joseph Small and others,—severally for legislation authorizing the commitment of intoxicated persons until they disclose the name of the person of whom they obtained the liquors, the drinking of which caused their intoxication ;

Petition of Horace Stevens and others ;

Petition of J. O. Webster and others ;

Petition of J. L. Howe and others ;

Petition of George D. Staples and others ;

Petition of B. S. Farrow and others ;

Petition of A. J. Rowe and others ;

Petition of C. E. Goodwin and others ;

Petition of F. W. Atkinson and others ;

Petition of C. A. Parsons and others ;

Petition of Joseph Springall and others ;

Petition of Charles E. Nash and others ;

Petition of Oscar R. Wish and others ;

Petition of N. S. Davis and others ;

Petition of E. H. Hill and others ;

Petition of selectmen of Bluehill and others ;

Petition of John H. Morgan and others ;

Petition of Ralph K. Jones and others ;

Petition of S. Laughton and others ;

Petition of Hampton E. Hill and others ;

Petition of C. W. D. Fessenden and others ;

Petition of H. H. Hill and others ;

\* Petition of W. Scott Hill and others ;

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Petition of Charles F. Chase and others ;

Petition of J. B. Thornton and others ;

Petition Wallace Bolan and others ;

Petition of L. W. Swain and others ;

Petition of Ira H. Snow and others ;

Petition of J. H. Blaisdell and others ;

Petition of Henry Kimball and others ;

Petition of W. L. Sampson and others ;

Petition of N. S. Harlow and others ;

Petition of N. G. Nicholas and others ;

Petition of E. B. Denison and others ;

Petition of Kendall Whitney and others,—severally for an amendment of chapter 204 of the public laws of 1877, relating to the business of apothecaries ;

Were referred to the Committee on Temperance in concurrence.

Petition of George W. Berry and others ;

Petition of James H. Kelloran and others ;

Petition of Frances C. Hathorn and others ;

Petition of James U. Wyllie and others ;

Petition of Nelson Thompson and others ;

Petition of A. S. Fales and others,—severally for legislation to authorize the county commissioners of Knox county to lay out an highway over the tide waters of Georges river at or over the Thomaston toll bridge ;

Remonstrance of the town of Thomaston, against the same ;

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

Petition of N. E. Hall and others, for legislation to prevent the killing of deer, moose and caribou in the county of Waldo, came from the House, that branch insisting upon its reference to the Committee on Agriculture.

The Senate receded and concurred.

H. R. 36. A bill to authorize the reduction of capital stock of corporations ;

H. R. 37. A bill amendatory of an act to provide for the organization of business corporations ;

Were referred to the Committee on the Judiciary in concurrence.

\*113 H. R. 38. A bill to amend section 12 of chapter 133 \* of the public laws of 1873, relating to the jail system of the State, was referred to the Committee on Legal Affairs in concurrence.

H. R. 39. A bill to amend chapter 199 of the public laws of 1877, 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 referred to the Committee on Ways and Bridges in concurrence.

Report of the Committee on Interior Waters, on an order relating to compelling the owners of the Kennebec dam at Augusta to build and maintain a fishway therein, and also maintain the lock therein in proper repair for the passage of boats, recommending that so much of said order as relates to a fishway be referred to the Committee on Fisheries;

Report of the Committee on the Judiciary, on an order relating to amending section 9 of chapter 6 of the revised statutes, "so as to do away with double taxation," that legislation thereon is inexpedient;

Report of the same Committee, on an order relating to establishing a Superior Court in each county and reducing the number of judges of the Supreme Court, that legislation thereon is inexpedient;

Report of the same Committee, on the petition of Stephen G. Deering and others, for an amendment of the city charter of Saco, that the same be referred to the next Legislature, with an order of notice;

Report of the same Committee, on bill (S. 10) to amend section 2 of chapter 116 of the revised statutes, regulating the fees of trial justices, that the same ought not to pass;

Report of the same Committee, on bill (H. R. 8) \*to \*114 amend section 48, chapter 18 of the revised statutes, relating to highway taxes, that the same ought not to pass;

Report of the same Committee, on a bill (H. R. 24) to repeal chapter 235 of the laws of 1874, authorizing assignees of choses in action to bring actions in their own names, that the same ought not to pass;

Report of the Committee on Railroads, on a bill (H. R. 12) to revive and amend chapter 141 of the special laws of 1872, entitled "an act to incorporate the Norway Branch Railroad Company, and to authorize the Norway Village Corporation to aid the same," that the same ought not to pass;

Were severally accepted in concurrence.

Report of the Committee on Manufactures, on the petition of Adna C. Denison, submitting the bill (H. R. 11) to amend chapter 391 of the laws of 1873, entitled "an act to incorporate the Evans Rifle Manufacturing Company;"

Report of the Committee on Interior Waters, on the petition of

Charles V. Lord and others, submitting the bill (H. R. 2) to provide for the improvement of the navigation of Souedehunk stream for log driving;

Report of the same Committee, on the petition of Abram Nash and others, submitting a bill (H. R. 40) to amend an act entitled "an act to authorize the building of a dyke or dam across Dyke Branch stream, in the town of Columbia, county of Washington;"

Were accepted in concurrence, the bills each read once, and to-morrow assigned for their second reading.

\*115 \* On motion by Mr. BOARDMAN,

*Ordered*, The House concurring, that there be and hereby is established another Joint Standing Committee, to be hereafter known and designated as the Joint Standing Committee on Appropriations.

And Messrs. Boardman of Waldo, Cobb of Androscoggin and Woodward of Lincoln, were appointed on the part of the Senate.

Sent down for concurrence.

On motion by Mr. TOLMAN,

*Ordered*, That the Committee on Legal Affairs inquire into the expediency of providing by law the manner of cancelling town orders.

On motion by Mr. BURLEIGH,

*Ordered*, That the Committee on State Lands and State Roads ascertain what action is necessary to have revert to the State such lands as have been conditionally sold and conditions remained unfulfilled, and which in the opinion of said Committee will not be complied with.

On motion by Mr. DAVIS of Penobscot,

*Ordered*, That the Committee on Legal Affairs inquire into the expediency of a law to regulate the survey of logs on Penobscot river, and for the preservation of the records of surveys of logs.

Severally sent down for concurrence.

Mr. MORRISON presented the petition of J. A. Burke and others.

Mr. BARTLETT presented the petition of C. D. Morrill and others.

Mr. BOARDMAN presented the petitions of A. R. Fellows and others, and of W. C. Small and others.

\* Mr. WOODWARD presented the petition of Alden Blossom and others. \*116

Mr. BRAGDON presented the petition of P. P. Gilmore and others ;

Also the petition of G. T. Fletcher and others ;

Also the petition of F. W. Goss and others.

Mr. NASH presented the petition of the school committee of Eaton and others ;

Also the petition of C. A. Page and others ;

Also the petition of Charles C. Hobart and others ;

Also the petition of V. L. Coffin and others ;

Also the petition of J. M. Johnson and others.

Mr. HAYNES presented the petition of J. G. Soule and others ;

Also the petition of J. M. Larrabee and others ;

Also the petition of Hudson Sawyer and others ;

Also the petition of A. M. Burr and others ;

Also the petition of A. Libbey and others.

The foregoing petitions, severally for a law providing for a State Board of Examiners for teachers in each county, were referred to the Committee on Education.

Sent down for concurrence.

Mr. SUMNER presented the petition of E. A. Davis and others, for a law providing a bounty on wild cats, which was referred to the Committee on Agriculture.

Mr. BRAGDON presented the petition of A. Smith and others, for a lien on ships and vessels for labor and material, similar to the general statutes of Massachusetts, which was referred to the Committee on the Judiciary.

Mr. DAVIS of Penobscot presented the petition of James Andrews and others, for authority to surrender the charter of the Upper Stillwater Boot and Shoe Manufacturing Company, which was referred to the \* Committee on Manufactures ; \*117

Also a bill (S. 25) additional to chapter 371 of the private and special laws of 1877, entitled " an act to repeal an act entitled an act to incorporate the town of Barnard."

Mr. NEALLEY presented a bill (S. 26) amending chapter 124 of the public laws of the year 1876, relating to warehouses ;

Also a bill (S. 27) to amend section 26 of chapter 91 of the revised statutes, relating to lien claims on slate ;

Also a bill (S. 28) amendatory of section 26 of chapter 91 of the revised statutes, relating to lien claims on slate.

These bills were each referred to the Committee on the Judiciary. Sent down for concurrence.

Mr. NASH, from the Committee on Maine State Year Book, reported (S. 3) resolve for the purchase of the Maine State Year Book and Legislative Manual.

The report was accepted and the resolve laid over to be printed under the Joint Rule.

On motion by Mr. PHILLIPS, at 25 minutes past 3 o'clock P. M.,

The Senate adjourned.

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\* TUESDAY, JANUARY 22, 1878.

Senate met according to adjournment.

Prayer by Rev. Mr. SAWYER of Hallowell.

On motion by Mr. MARTIN,

The reading of the Journal of yesterday was omitted.

Orders from the House :

That the Committee on State Lands and State Roads inquire into the claim for reimbursement of money received for stumpage of timber cut in lot 52 in township No. 5, range 3, west from the east line of the State ;

That the Committee on State Lands and State Roads ascertain if a deed was ever issued to Gowen Wilson or assignees, under a resolve of the Legislature, approved August 13, 1849, and if it appears upon examination that no such deed was ever issued by the Land Agent, to ascertain who is legally or equitably entitled to receive a deed, or its equivalent, as authorized by said resolve ;

That the Committee on the Judiciary inquire into the expediency of conferring upon the Governor authority to issue the court stenographers commissions as justices of the peace throughout the State ;

That the Committee on Temperance inquire into the expediency of so amending chapter 215 of the \*public laws \*119 of 1877, so that the sale of pure cider will not be in violation of the laws of this State;

That the Committee on the Judiciary inquire into the expediency of repealing chapter 78, public laws of 1876, relating to the erection of fish weirs and wharves;

That the Committee on the Judiciary inquire into the expediency of amending chapter 27, section 26, of the revised statutes, relating to town agents for sale of liquors, by striking out the word "shall" in the fifth line, and inserting in the place thereof the word "may;"

That the Committee on the Judiciary inquire into the expediency of regulating by law the speed of steam vessels in the ports and harbors of the State;

That the Committee on the Judiciary inquire whether legislation is necessary to furnish liens to persons who perform labor by cutting and hauling cord-wood and fire-wood;

That the Committee on the Judiciary inquire into the expediency of enacting such a law as shall hold to strict accountability insurance agents;

That the Committee on Indian Affairs inquire if any treaty stipulation or obligations entered into by the State of Massachusetts with the Passamaquoddy tribe of Indians, and assumed by Maine for Massachusetts, have been infringed or violated to the injury of said tribe, so as to create a liability against the State for reimbursement to the tribe;

That the Committee on Mercantile Affairs and Insurance be instructed to inquire into the expediency of amending sections 49 and 57 of chapter 49 of the revised statutes, relating to insurance companies doing business in \*this State; \*120

That the Committee on State Lands and State Roads inquire into the claim of John S. Arnold to lot No. 132 in the town of Limestone, Aroostook county;

Were read and passed in concurrence.

Petition of D. E. Marston and others;

Petition of Anson P. Morrill and others;

Petition of W. F. Hallett and others;

Petition of John B. Dyer and others,—severally for the establishment of a Superior Court in Kennebec county ;

Were referred to the Kennebec County Delegation in concurrence.

Petition of Philo Hersey and others ;

Petition of Charles L. Abbee and others ;

Petition of William Buck and others ;

Petition of S. H. Burnham and others ;

Petition of Frank Carleton and others,—severally for a State board of examiners for teachers ;

Were referred to the Committee on Education in concurrence.

Petition of Major Kelley and others, for abatement of State tax of Washington plantation for the years 1876 and 1877 ;

Petition of selectmen of Bradley, for reimbursement of money expended for war purposes by order of the Adjutant General ;

Petition of the selectmen of Milford, for reimbursement of money paid for war purposes by order of the Adjutant General ;

Were referred to the Committee on Claims in concurrence.

Petition of S. S. Brooks and others, for authority to build a wharf in tide waters in the Kennebec river at Augusta ;

Petition of R. D. Silman and others, for an amendment of chapter 363 of the private and special laws of 1877, relating to \*121 the throwing of refuse into \*the Piscataquis river ;

Remonstrance of Charles C. Hamlin and others ;

Remonstrance of C. H. Hussie and others ;

Remonstrance of John Carney and others ;

Remonstrance of John Hamilton and others ;

Remonstrance of G. C. Eaton and others ;

Remonstrance of Josiah Gifford and others ;

Remonstrance of V. R. Connor and others ;

Remonstrance of John Davis and others,—severally against legislation to prevent the throwing of certain refuse into the Kennebec river and its tributaries ;

Petition of J. C. Jameson and others, for legislation to prevent the throwing of certain refuse into the Kennebec river and its tributaries ;

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

Remonstrance of A. W. Pinkham and others ;

Remonstrance of John Power and others, against legislation to prohibit the taking of menhaden in the waters of Maine ;

Were referred to the Committee on Fisheries in concurrence.

Petition of George E. Newman and others, for legislation for the protection of game and birds ;

Petition of members of the Union Parish of Caribou, for legislation to legalize the doings of said parish ;

Petition of citizens of South Paris, for amendment of the charter of the South Paris Village Corporation ;

Petition of B. D. E. Hase and others ;

Petition of R. E. Paine and others ;

Petition of Fred Lewis and others,—severally for the establishment of a State Board of Health ;

Were referred to the Committee on Legal Affairs in concurrence.

Petition of the Union Mutual Life Insurance Company, for amendment of charter, was referred to the Committee on Mercantile Affairs and Insurance \* in concurrence. \*122

Petition of the mayor and aldermen of Bath, for repeal of special law of 1876, authorizing the Androscoggin Railroad Company to discontinue a portion of its track, was referred to the Committee on Railroads in concurrence.

Petition of C. F. Collins ;

Petition of Fred Barker ;

Petition of S. W. Stratton ;

Petition of Albion W. Stratton ;

Petition of James E. Holmes,—respectively for deeds of lots of land ;

Petition of the town of Caribou, for aid to construct a bridge across the Aroostook river ;

Petition of George A. Saunders, for pay for lumber cut on his lot under the direction of the State ;

Petition of George Cary and others, for reimbursement of money paid out for partition of land in Eagle Lake plantation ;

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

Petition of Ephraim Bartlett and others ;

Petition of the selectmen of South Thomaston, for the annexation of Dix, Crow and other islands to said town ;

Were referred to the Committee on Towns in concurrence.

Remonstrance of J. E. Mallett and others, against legislation vesting the franchise of Merry meeting bridge in the county of Sagadahoc, was referred to the Committee on Ways and Bridges in concurrence.

On motion by Mr. BRAGDON,

*Ordered*, That the Committee on Education inquire into the expediency of reducing the amount required by law to be raised for the support of schools, from eighty cents to seventy \*123 cents for each \*inhabitant.

On motion by Mr. BOARDMAN,

*Ordered*, That the Committee on the Judiciary inquire whether legislation is necessary to protect the rights of persons loaning money to administrators and executors of estates as such.

On motion by Mr. PRINCE,

*Ordered*, That the Committee on Legal Affairs inquire into the expediency of so amending section 10, chapter 3 of the revised statutes, that selectmen shall be elected for three years.

On motion by Mr. DAVIS of Cumberland,

*Ordered*, That the Committee on Railroads inquire into the expediency of amending section 30 of chapter 207 of the public laws of 1877, entitled "an act to obtain uniform returns from railroad corporations ;"

Also inquire into the expediency of amending section 10 of chapter 120 of the public laws of 1876, authorizing the formation of railroad corporations.

On motion by Mr. BURLEIGH,

*Ordered*, That the Committee on State Lands and State Roads inquire into the necessity of amending chapter 141 of the public laws of 1876, entitled "an act to promote the settlement of the public lands."

Severally sent down for concurrence.

Mr. BARTLETT presented the petition of F. B. Ward and others, for an increase of salary of the county commissioners of

Somerset county, which was referred to the Committee on Financial Affairs.

Mr. STEVENS presented the petition of Frank Sawtelle, for exclusive right to navigate Snow pond in Kennebec county for a term of years, which was referred to the Committee on the Judiciary.

\* Mr. DRAKE presented the petition of L. F. Stratton \*124 and others ;

Also the petition of Caleb Estes and others, for legislation providing for a uniform scale of logs ;

Which were referred to the Committee on Legal Affairs.

Mr. DAVIS of Penobscot presented the petition of Charles P. Church, for extension of time for survey and completion of the Penobscot Central Railroad.

Mr. MORRISON presented the petition of Abner Toothaker and others, for an amendment of section 15, chapter 49 of the private and special laws of 1872.

These petitions were referred to the Committee on Railroads.

Mr. MORRISON presented the petition of C. C. Rounds and others ;

Also the petition of the school committee of Farmington.

Mr. SUMNER presented the petition of John F. Staples and others ;

Also the petition of Caleb Gilman and others.

Mr. PHILLIPS presented the petition of Alfred Webb and others ;

Also the petition of G. A. Sawtelle and others ;

Also the petition of A. C. Otis and others ;

Also the petition of P. S. Dinsmore and others ;

Also the petition of M. S. Bills and others ;

These petitions, severally for a State board of examiners for teachers, were each referred to the Committee on Education.

Mr. BRAGDON presented the remonstrance of the school committee of Verona, against the establishment of a State board of examiners for teachers, which was referred to the Committee on Education.

\* Mr. MARTIN presented the petition of Edward Cushing \*125 and others.

Mr. STEVENS presented the petition of A. J. Parker and others ;

Also the petition of S. A. Allen and others ;

Also the petition of A. F. Plimpton and others.

These petition, severally for an amendment of chapter 204 of the public laws of 1877, relating to the business of apothecaries, were each referred to the Committee on Temperance.

Mr. PRINCE presented the remonstrance of Lewis A. Farrar and others.

Mr. LEARNED presented the remonstrance of D. L. Hunter and others.

Mr. TOLMAN presented the remonstrance of Piscataquis County Lodge of Good Templars ;

Also the remonstrance of a public meeting in Portland.

These remonstrances, severally against an amendment of the law relating to the business of apothecaries, were referred to the Committee on Temperance.

Sent down for concurrence.

Mr. MORRISON presented a bill (S. 29) to amend section 15 of chapter 49 of the private and special laws of 1872.

Mr. DAVIS of Cumberland presented a bill (S. 30) additional, relating to the Portland and Deering Railroad Company ;

Also a bill (S. 31) additional, relating to the Boston and Maine Railroad ;

Also a bill (S. 32) to amend section 1 of chapter 223 of the public laws of 1871, relating to fares on railroads.

\*126 \*These bills were each referred to the Committee on Railroads.

Sent down for concurrence.

Mr. BOARDMAN presented a bill (S. 33) additional to chapter 97 of the revised statutes, relating to bastard children and their maintenance ;

Also a bill (S. 34) to amend section 4 of chapter 124 of the revised statutes, relating to polygamy.

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

Sent down for concurrence.

Mr. ROGERS presented a bill (S. 35) to amend chapter 218 of the public laws of 1877, relating to savings banks, which was referred to the Committee on Banks and Banking.

Sent down for concurrence.

Mr. BOARDMAN presented a bill (S. 36) in relation to the police court for the city of Belfast, and

On motion by the same Senator,

*Ordered*, That it lie on the table.

Mr. HAYNES presented a bill (S. 37) to incorporate the Lowell Boom Company, and

On motion by the same Senator,

*Ordered*, That it lie on the table.

Mr. MORRISON presented (S. 4) resolve relating to temperance, and

On motion by the same Senator,

*Ordered*, That it lie on the table and be printed.

Mr. PRINCE, from the Committee on Legal Affairs, to whom was referred the bill (S. 4) to amend chapter 124, section 18, of the revised statutes, relating to camp-meetings, reported that the same ought to pass.

\*The report was accepted and the bill laid over to be \*127 printed under the Joint Rule.

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

H. R. 2. An act to provide for the improvement of the navigation of the Souedehunk stream for log driving, and pending its second reading,

On motion by Mr. DAVIS of Cumberland,

*Ordered*, That it lie on the table.

The same Committee also reported the following bill :

H. R. 11. An act to amend chapter 391 of the laws of 1873, entitled "an act to incorporate the Evans Rifle Manufacturing Company," which was read a second time.

House amendment "A," adding a section, to wit :

*Sect. 2. This act shall take effect when approved.*

Was agreed to, and the bill passed to be engrossed in concurrence.

The same Committee also reported the following bill :

H. R. 40. An act to amend an act entitled "an act to authorize the building of a dyke or dam across Dyke Branch stream in the

town of Columbia, county of Washington," which was read a second time and passed to be engrossed in concurrence.

On motion by Mr. TOLMAN, at 55 minutes past 10 o'clock A. M.,

The Senate adjourned.

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\* WEDNESDAY, JANUARY 23, 1878.

Senate met according to adjournment.

Prayer by Rev. Mr. ALLEN of Hallowell.

On motion by Mr. DRAKE,

*Ordered*, That the reading of the Journal of yesterday be omitted.

Orders from the House :

That the Committee on Financial Affairs be instructed to inquire into the expediency of discontinuing the Maine State College of Agriculture and the Mechanic Arts, and of dividing its permanent funds equally between Bowdoin College, Colby University and Bates College, on condition that said colleges establish and maintain a department of agriculture, and forever give free tuition therein to all students, residents of the State, who may apply therefor; and also give free instruction in all branches taught in the above named colleges to students now in the State College, for the remainder of their college course, was read, and

On motion by Mr. NEALLEY,

*Resolved*, That it be indefinitely postponed.

Sent down for concurrence.

That the Committee on Legal Affairs inquire what further  
\*129 legislation is necessary to secure the \* prompt recording of deeds of gift, or where full consideration therefor has not been paid ;

That the same Committee inquire into the expediency of so amending the revised statutes as to allow an appeal from the decision of the clerk in the taxation of costs ;

That the same Committee inquire into the laws relative to laying out county roads, and so amend the same as to empower

county commissioners to lay out county roads through incorporated towns, plantations and unincorporated townships on the same petition;

That the Committee on Fisheries inquire into the expediency of enacting a law for the protection of pickerel and white perch in Fields and Brewer ponds, situated in Orrington, in the county of Penobscot;

That the Committee on Commerce inquire what, if any, legislation is required to regulate and define the rights and liabilities of the owners of tow-boat, and to provide that such owners shall not incur the liabilities of pilots without additional compensation therefor;

That the Committee on Education inquire into the expediency of repealing the school laws of the State so far as they relate to high schools;

That the same Committee inquire into the expediency of so amending the law requiring towns to raise money for the support of common schools, that they may raise fifty cents instead of eighty cents for each inhabitant;

That the Committee on Manufactures inquire into the expediency of amending the ninth specification of section 6 of chapter 6 of the revised statutes, respecting taxation, so that mining and smelting \* works shall have the same privilege \*130 of exemption from taxation provided for manufacturing and other establishments;

That the Committee on Mercantile Affairs and Insurance inquire what legislation, if any, is necessary in order to regulate the per cent. of value above which property cannot be insured, and thus prevent the frequent occurrence of incendiary fires;

That the Committee on Banks and Banking inquire into the expediency of so amending section 15, chapter 218 of the public laws of 1877, as to lessen the rate of taxation on the deposits in savings banks;

That the Committee on the Judiciary inquire if any amendment is needed to sections 4 or 5, or to both, of chapter 27 of the revised statutes, relating to inns and innkeepers, so that the law shall be more effective or just;

That the Committee on the Judiciary inquire into the expediency of amending section 30 of chapter 6 of the revised statutes,

by inserting after the word "manufacturing," in the second line of said section, the words "mining and smelting;"

That the Committee on the Judiciary inquire into the expediency of amending chapter 122, section 12, of the revised statutes, relating to corrupt agreements to prosecute suits at law, so as to make it more efficient;

That the Committee on the Judiciary inquire what legislation, if any, is necessary to perfect the law relating to mechanics' liens;

That the Committee on the Judiciary examine into the expediency of providing additional remedies for the protection of persons purchasing lands at tax sales;

\*131 \* That the Committee on State Lands and State Roads be instructed to inquire into the expediency of granting a small amount of land to Vital D'Aigle for building a mill in township No. 17, range 6;

Were read and passed in concurrence.

That the Committee on Claims be instructed to take from the files of the last Legislature the petition and evidence of the town of Topsfield for reimbursement of money sent by express by the State and never received by said town, and report whether said petition should be granted, was read, and

On motion by Mr. HASSELL,

*Ordered*, That it lie on the table.

- Petition of B. F. Pease and others, for the incorporation of the Ossipee River Agricultural Society, was referred to the Committee on Agriculture in concurrence.

Petition of W. J. Corthell, for repayment of money paid by him in the service of the State;

Petition of Thomas Kennedy, for reimbursement for supplies furnished a pauper in Crooked Brook plantation;

Were referred to the Committee on Claims in concurrence.

Petition of Isaiah Gifford and others, for legislation regulating the power of school districts;

Petition of O. R. Sirois and others;

Petition of C. P. Allen and others;

Petition of E. S. Kyes and others;

Petition of B. T. Chase and others;

Petition of Emulous Stackpole and others;

Petition of school committee of Hartford ;

Petition of supervisor of New Vineyard,—severally for a State board of examiners for teachers ;

\* Were referred to the Committee on Education in concurrence. \*132

Petition of Sanborn Brothers, for legislation in relation to the culture of trout in Sanborn Brothers' pond, so called, in Baldwin ;

Petition of R. W. Walker and others, for legislation for the protection of alewives in Bagaduce river ;

Remonstrance of Mark L. Elwell and others ;

Remonstrance of Samuel Herrick and others, against legislation restricting the menhaden or porgie fisheries ;

Were referred to the Committee on Fisheries in concurrence.

Petition of L. F. Jones and others, for repeal or modification of the act granting to C. A. J. Farrar the exclusive right to navigate Richardson's lake by steam ;

Petition of George Underwood and others ;

Petition of W. M. Taylor and others ;

Petition of F. C. Fellows and others,—severally for the right to navigate the waters of Wayne, Fayette and Mt. Vernon by steam ;

Remonstrance of J. N. Wadsworth and others ;

Remonstrance of Isaac Temple and others, severally against legislation to prohibit the throwing of certain refuse into the Kennebec river and its tributaries ;

Were referred to the Committee on Interior Waters in concurrence.

Petition of Charles A. Wing and others ;

Petition of W. G. Watson and others ;

Petition of Isaac W. Britton and others ;

Petition of J. S. Berry and others,—severally for the establishment of a Superior Court in Kennebec county ;

Were referred to the Kennebec County Delegation in concurrence.

\* Petition of James Clary and others, for legislation requiring counties to support paupers instead of towns ; \*133

Petition of George W. Ward and others, for the incorporation of Granite Lodge No. 14, Independent Order of Odd Fellows, of Biddeford ;

Petition of Asa Cushman and others, for the incorporation of the Auburn Harpswell Association ;

Petition of Fountain Rodick and others of Eden, for a charter for a telegraph and telephone line from Bar Harbor to Ellsworth ;

Petition of citizens of Caribou, for the incorporation of the East Lyndon Manufacturing Company ;

Were referred to the Committee on Legal Affairs in concurrence.

Petition of St. Elizabeth Orphan Asylum of Portland, for aid in the support of orphan children of soldiers in the war of the rebellion, was referred to the Committee on Military Affairs in concurrence.

Petition of J. H. Lincoln, for a charter for a railroad from Presque Isle to east line of the State, was referred to the Committee on Railroads in concurrence.

Petition of Isaac Dyer and others, for an increase of the salary of the register of probate for Somerset county, was referred to the Somerset County Delegation in concurrence.

Petition of selectmen of Monson, for aid in repairing the road from Abbott depot to Shirley ;

Petition of Freeman Hayden ;

Petition of O. W. Davis, Jr. ;

Petition of L. D. Todd,—respectively for lots of land ;

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

\*134 \*Petition of inhabitants of Ward plantation to be set off from proprietors' lands ;

Remonstrance of William Rich and others, against the division of the town of Berwick ;

Were referred to the Committee on Towns in concurrence.

Petition of John W. Coffin and others, praying that Narragagus river may be excepted from the law regulating fisheries ;

Petition of N. W. Purrington and others, for the protection of surgeon in the Kennebec river ;

Were referred to the Committee on Fisheries in concurrence.

Memorial of H. M. Plaisted and F. H. Appleton, for the purchase of copies of their Digest of the Maine Reports soon to be published ;

Petition of C. B. Rounds and others, for an amendment of the charter of the city of Calais, relating to the Municipal Court ;

Petition of F. A. Seiders and others, for the incorporation of the Union Dairying Association ;

Petition of C. P. Mattocks and others, for a charter for a rifle club ;

Petition of F. C. Fellows and others ;

Petition of Abial Libby and others ;

Petition of P. Dyer and others ;

Petition of H. L. Sampson and others,—severally for legislation in relation to suits in cases of mal-practice ;

Petition of Oliver Stevens and others ;

Petition of Henry M. Colby and others ;

Petition of Joseph Smith and others ;

Petition of Leonard A. Ingals and others ;

Petition of George W. Belcher and others ;

Petition of Stephen Mitchell and others ;

Petition of John M. Lane and others ;

Petition of John B. Rand and others,—severally for the removal of the shire town of Oxford county from Paris to Norway ;

\* Remonstrance of Timothy Walker and others ;

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Remonstrance of Hiram A. Ellis and others ;

Remonstrance of George Burnham and others ;

Remonstrance of Benjamin Lovejoy and other ;

Remonstrance of A. E. Stiles and others ;

Remonstrance of Merritt Parsons and others ;

Remonstrance of A. W. Wilson and others ;

Remonstrance of F. I. Bean and others ;

Remonstrance of Winthrop Matthews and others ;

Remonstrance of Sewall Goff and others ;

Remonstrance of Orrin Foster and others ;

Remonstrance of J. H. Douglass and others ;

Remonstrance of James Brown and others ;

Remonstrance of J. W. Eaton and others ;

Remonstrance of O. C. Houghton and others ;

Remonstrance of John J. Holman and others ;

Remonstrance of Lowell L. Gardiner and others,—severally against the removal of the shire town of Oxford county from Paris to Norway;

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

Petition of C. M. Plummer and others;

Petition of Frederick Storer and others,—for legislation permitting the sale of cider, ale and lager beer;

Petition of N. E. Hall and others;

Petition of W. L. Guptill and others;

Petition of W. H. Rice and others;

Petition of J. C. Atwood and others,—severally for legislation authorizing the arrest and commitment of intoxicated persons until they disclose of whom they purchased the liquor;

Petition of C. W. Richardson and others;

Petition of Jared Fuller and others;

Petition of J. W. Tebbetts and others;

Petition of W. B. Proctor and others;

Petition of Orrin Pratt and others;

Petition of S. B. Jennings and others;

Petition of C. B. Bridgham and others;

Petition of John O. Winship and others;

Petition of Samuel B. Hunter and others;

Petition of F. M. Eveleth and others;

Petition of Alfred Kilby and others;

Petition of S. Estes and others;

Petition of B. D. E. Huse and others;

Petition of A. Libbey and others;

Petition of D. F. Sullivan and others;

Petition of A. H. Richardson and others;

Petition of E. Hopkins and others;

Petition of W. B. Swasey and others;

\*136 Petition of \*D. E. Marston and others;

Petition of G. H. Cloyes and others;

Petition of A. O. Noyes and others;

Petition of Harrison Small and others;

Petition of John W. Perkins and others;

Petition of Warren Hunter and others;

Petition of John Benison and others;

Petition of Silas Burbank and others ;  
Petition of J. D. Nutting and others ;  
Petition of H. L. Irish and others ;  
Petition of J. W. Clark and others ;  
Petition of Stanley F. Warren and others ;  
Petition of D. S. Cole and others ;  
Petition of C. S. Pennell and others ;  
Petition of T. Hildreth and others ;  
Petition of J. W. Tibbetts and others ;  
Petition of H. W. Golder and others ;  
Petition of J. H. Estabrook and others,—severally for an amendment of the law relating to the business of apothecaries ;  
Remonstrance of F. S. Bunker and others ;  
Remonstrance of John W. Clark and others ;  
Remonstrance of M. J. Metcalf and others,—severally against the foregoing petitions ;

Were severally referred to the Committee on Temperance in concurrence.

H. R. 41. A bill authorizing George M. Mills to extend his wharf and erect wharves in the tide waters at Rutherford's island in the town of Bristol, county of Lincoln, was referred to the Committee on Fisheries in concurrence.

H. R. 42. A bill to amend an act entitled "an act to incorporate the Androscoggin Water Power Company," was referred to the Committee on Interior Waters in concurrence.

H. R. 43. A bill relating to the Penobscot tribe of Indians, was referred to the Committee on Indian Affairs in concurrence.

H. R. 44. A bill to amend chapter 261 of the private acts of 1869, relating to courts in Washington county ;

H. R. 45. A bill to extend the time for organization of the Calais Railroad Company, incorporated by \*chapter 532 \*137 of the private laws of 1874 ;

H. R. 46. A bill to amend section 90 of chapter 82 of the revised statutes, relating to evidence ;

H. R. 47. A bill additional to an act entitled "an act additional to chapter 31 of the revised statutes, relating to factors, agents and warehouse-men ;"

H. R. 48. A bill to amend chapter 80 of the revised statutes, enlarging the powers of constables ;

H. R. 49. A bill to encourage the development of the mining interests of the State ;

H. R. 50. A bill to encourage the provision of means for the extinguishment of fires ;

H. R. 51. A bill for the incorporation of the Union Dairying Association in the town of Union, county of Knox ;

H. R. 52. A bill additional to chapter 87 of the revised statutes, relating to actions by and against executors and administrators ;

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

H. R. 53. A bill to amend chapter 185 of the laws of 1877, relating to life insurance ;

H. R. 54. A bill additional to chapter 49 of the revised statutes, in relation to life insurance ;

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

H. R. 55. A bill to incorporate the Bridgton Brass Band in Bridgton ;

H. R. 56. A bill in relation to right of action between husband and wife ;

H. R. 57. A bill relating to apprenticing of boys in Reform School ;

H. R. 58. A bill to amend section 15, chapter 30 of the revised statutes, relating to taking fur bearing animals ;

\*138 \*H. R. 59. A bill to amend section 11 of chapter 95 of the revised statutes, relating to actions of trespass ;

H. R. 60. A bill to amend section 5 of chapter 60 of the revised statutes, relating to actions of divorce ;

H. R. 61. A bill to amend section 8, chapter 66 of the revised statutes, relating to insolvent estates ;

H. R. 62. A bill giving county commissioners jurisdiction over the repair of ways ;

H. R. 63. A bill to amend section 66 of chapter 82 of the revised statutes, relating to juries ;

H. R. 64. A bill to incorporate the Pythian Hall Association of Portland ;

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

H. R. 65. A bill to authorize the Portland and Ogdensburg Railroad Company to issue preferred stock and for other purposes ;

H. R. 66. A bill additional to chapter 258 of the public laws of 1874, relating to adjustment of railroad taxes ;

Were referred to the Committee on Railroads in concurrence.

H. R. 6. Resolve providing for payment for additional services and expenses imposed upon the Bank Examiner by the savings bank act approved February 9, 1877, was referred to the Committee on Banks and Banking in concurrence.

H. R. 7. Resolve in favor of the St. Croix and Penobscot Railway ;

H. R. 8. Resolve in favor of John Relehan ;

Were referred to the Committee on Claims in concurrence.

H. R. 9. Resolve in favor of certain towns and plantations, was referred to the Committee on the \*Judiciary in \*139 concurrence.

H. R. 10. Resolve in favor of Cyrus William King, was referred to the Committee on Legal Affairs in concurrence.

H. R. 11. Resolve in favor of Eugene Michaud ;

H. R. 12. Resolve in favor of Mrs. Ellebert Michaud ;

H. R. 13. Resolve in favor of George Cary, Theodore Cary and Jefferson Cary ;

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

Report of the Committee on Legal Affairs, on (H. R. 4) resolve in favor of the inhabitants of the town of Barnard, that the same be referred to the Committee on Financial Affairs, was accepted in concurrence.

Report of the Committee on Indian Affairs, on resolve (H. R. 2) to amend chapter 133 of resolves of 1867, that the same ought to pass ;

Report of the same Committee, on bill (H. R. 29) providing for payment of certain rents now in suit to the agent of the Penobscot tribe of Indians, that the same ought to pass ;

Report of the Committee on Interior Waters, on the petition of George Stetson and others, submitting a bill (H. R. 15) to incorporate the Crystal Dam Company ;

Report of the Committee on the Judiciary, on bill (H. R. 26) to amend section 7 of chapter 180 of the special laws of 1872, entitled "an act to authorize the city of Portland to aid the construction and western extensions of the Portland and Rochester Railroad," that the same ought to pass ;

Report of the Committee on Legal Affairs, on an order, \*140 submitting a bill (H. R. 67) additional to chapter \*127 of the revised statutes, in relation to malicious mischief and trespasses on property ;

Were severally accepted in concurrence, the resolve and bills each read once, and to-morrow assigned for their second reading.

The following printed bills and resolve :

S. 23. A bill to amend section 32, chapter 4 of the revised statutes, as amended by chapter 213 of the public laws of 1877, relating to elections ;

S. 24. A bill to amend section 2 of chapter 106 of the revised statutes, relating to the lists and qualifications of jurors ;

S. 4. A bill to amend chapter 124, section 18, of the revised statutes, relating to camp-meetings ;

S. 3. Resolve for the purchase of the Maine State Year Book and Legislative Manual ;

Were each read once and to-morrow assigned for their second reading.

Mr. NASH presented the petition of Samuel N. Campbell and others, for a mineralogical and geological survey of the State, which was referred to the Committee on Financial Affairs.

Sent down for concurrence.

Mr. DRAKE presented the petition of Emeline A. Prescott and others, for the establishment of equal political rights, irrespective of sex, which was referred to the Committee on the Judiciary.

Sent down for concurrence.

Mr. NASH presented the petition of the school committee of Calais.

Mr. MOULTON presented the petition of W. P. Burbank and others.

Mr. GRINDLE presented the petition of D. W. Bunker and others.

\* These petitions, severally for a board of State exam- \*141  
iners for teachers, were each referred to the Committee on  
Education.

Sent down for concurrence.

Mr. MORRISON presented the petition of O. W. Rogers and others, for legislation authorizing the arrest and confinement of intoxicated persons until they disclose of whom they purchased liquor.

Mr. PRINCE presented the remonstrance of Silas Morse and others, against an amendment of the law relating to apothecaries.

The petition and remonstrance were referred to the Committee on Temperance.

Sent down for concurrence.

Mr. PHILLIPS presented a bill (S. 38) to facilitate the transfer to the United States of the title to the Antietam National Cemetery in the State of Maryland, which was referred to the Committee on Military Affairs.

Sent down for concurrence.

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

The Joint Select Committee to whom was referred the Governor's Message, have had the same under consideration, and ask leave to report :

That so much of said message as relates to the State Treasury be referred to the Committee on Financial Affairs.

That so much as relates to military affairs, the Military and Naval Orphan Asylum at Bath, and Antietam National Cemetery, be referred to the Committee on Military Affairs.

That so much as relates to the report and \* recommenda- \*142  
tions of the Attorney General be referred to the Committee on the Judiciary.

That so much as relates to the land office be referred to the Committee on State Lands and State Roads.

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

That so much as relates to schools be referred to the Committee on Education.

That so much as relates to the Indian tribes be referred to the Committee on Indian Affairs.

That so much as relates to the State Prison and the International Prison Congress be referred to the Committee on State Prison.

That so much as relates to the Reform School and the Industrial School for Girls be referred to the Committee on Reform School.

That so much as relates to the Insane Hospital and the Maine General Hospital be referred to the Committee on Insane Hospital.

That so much as relates to the State College of Agriculture and the Mechanic Arts be referred to the Committee on Agriculture.

That so much as relates to fisheries, the culture and propagation of fish, be referred to the Committee on Fisheries.

That so much as relates to the statue of Gov. King be referred to the Committee on Finance.

The report was accepted.

Sent down for concurrence.

On motion by Mr. MOODY, at 24 minutes past 11 o'clock A. M.,

The Senate adjourned.

\* THURSDAY, JANUARY 24, 1878. \*143

Senate met according to adjournment.

Prayer by Rev. Mr. ALLEN of Farmington.

On motion by Mr. WOODWARD,

*Ordered*, That the reading of the Journal of yesterday be omitted.

Papers from the House :

Petition of H. H. Miller and others, for a State board of examiners for teachers, was referred to the Committee on Education in concurrence.

Remonstrance of A. J. Darling and others, against the petition of J. and E. H. Treat for exemption from liability to build a fish-way in their dams in Cold stream in Enfield, was referred to the Committee on Fisheries in concurrence.

A communication from the Secretary of State, in response to an order of the House, transmitting memorials of members of the Penobscot tribe of Indians, relating to lease of islands belonging to said tribe, was referred to the Committee on Indian Affairs in concurrence.

Petition of H. K. Wheeler and others ;

Petition of Henry Woodman and others ;

Petition of M. J. Dow and others,—severally for legislation to authorize the arrest and confinement of intoxicated persons until \* they disclose of whom they purchased liquor ; \*144

Petition of H. H. Richards and others, for amendment of the law relating to the business of apothecaries ;

Remonstrance of S. F. Kinsman and others ;

Remonstrance of Benjamin Kingsbury and others ;

Remonstrance of F. Kendrick and others ;

Remonstrance of William Connor and others ;

Remonstrance of John Larrabee and others ;

Remonstrance of C. V. Crossman and others ;

Remonstrance of Mrs. C. K. Foss and others ;

Remonstrance of William Hodges and others ;

Remonstrance of L. B. Fowler and others ;  
Remonstrance of E. M. Shaw and others ;  
Remonstrance of H. N. Bolster and others ;  
Remonstrance of D. M. Waitt and others ;  
Remonstrance of J. W. Toward and others,—severally against  
the proposed amendment of the law relating to apothecaries ;  
Were referred to the Committee on Temperance in concurrence.

Remonstrance of A. N. Johnson and others ;  
Remonstrance of John A. Clark and others,—against the annex-  
ation of Dix, Crow and other islands to South Thomaston ;  
Were referred to the Committee on Towns in concurrence.

Petition of D. B. Johnson and others, for an amendment of the  
pauper law, was referred to the next Legislature in concurrence.

H. R. 68. A bill to amend section 2 of chapter 89 of the  
revised statutes, relating to reviews ;

H. R. 69. A bill to amend section 25 of chapter 65 of the  
revised statutes, relating to allowances to minor children ;

Were referred to the Committee on the Judiciary in concur-  
rence.

H. R. 70. A bill to regulate the sale of ice, was referred to  
the Committee on Legal Affairs in concurrence.

H. R. 14. Resolve to carry into effect the provisions of chap-  
ter 49 of the resolves of 1869, was referred to the Committee on  
State Lands and State Roads in concurrence.

\*145 \*Petition of D. P. Cornish and others, for legislation vest-  
ing the franchise of Merrymeeting bridge in the county of  
Sagadahoc, was referred to the Committee on Ways and Bridges  
in concurrence.

Report of the Committee on Claims, on the petition of Thomas  
W. Porter for reimbursement of money paid out on account of  
subsistence of men in 1861 and 1862, that the petitioner has leave  
to withdraw ;

Report of the Committee on Education, on an order relating to  
electing more than three persons to constitute the school com-  
mittee in certain cases, that legislation thereon is inexpedient ;

Were accepted in concurrence.

Report of the same Committee, on an order relating to training teachers for Madawaska territory ; also to securing the objects of chapter 380 of the special laws of 1873, relating to schools in Madawaska territory, that legislation thereon is inexpedient, came from the House accepted.

The Senate non-concurred, and

On motion by Mr. PHILLIPS,

*Ordered*, That the report be recommitted.

Sent down for concurrence.

Report of the same Committee, on bill (H. R. 21) additional to section 3, chapter 11 of the revised statutes, relating to abolition of school districts, that the same ought not to pass ;

Report of the Committee on Financial Affairs, on the petition of the selectmen of Princeton for reduction of State valuation, that the petitioners have leave to withdraw ;

Report of the Hancock County Delegation, on the petition of C. W. Connors and others for the appointment \* of \*146 Thomas Merchant as ferryman on the ferry between Hancock and Sullivan, that the petitioners have leave to withdraw ;

Report of the Committee on the Judiciary, on the petition of the selectmen of Cooper for legislation to legalize the doings of said town, and the records of the same, that the petitioners have leave to withdraw ;

Report of the same Committee, on bill (S. 18) additional to chapter 88. of the revised statutes, relating to the partition of real estate, that the same ought not to pass ;

Report of the Committee on Pensions, on the petition of Wilmot Walker for a pension, that the petitioner has leave to withdraw ;

Report of the Committee on Towns, on the petition of inhabitants of Roxbury, praying to be set off from said town and annexed to Mexico and Andover, that the petitioners have leave to withdraw ;

Were severally accepted in concurrence.

Report of the Committee on State Lands and State Roads, on the petition of Nelson Turney, submitting (H. R. 15) resolve in favor of Nelson Turney ;

Report of the same Committee, on the petition of William H. Scott, submitting (H. R. 16) resolve in favor of William H. Scott ;

Report of the same Committee, on the petition of John Allen and others, submitting (H. R. 17) resolve in favor of Benjamin F. Allen;

Were severally accepted in concurrence, the resolves each read once, and to-morrow assigned for their second reading.

H. R. 18. Resolve in favor of Franklin Simmons, sculptor,  
\*147 passed to be engrossed by the House, was \*read twice, the rules being suspended, and passed to be engrossed in concurrence.

A communication was received from Hon. E. H. Banks, Treasurer of State elect, signifying his acceptance of the trust, and transmitting his official bond, which was read, and

On motion by Mr. BARTLETT,

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

Sent down for concurrence.

Mr. HAYNES presented the petition of S. W. Goodspeed and others, for legislation to prevent the throwing of certain refuse into the Kennebec river and its tributaries, which was referred to the Committee on Interior Waters.

Mr. MORRISON presented the petition of B. F. Atkinson and others, for the establishment of a Municipal Court in Farmington, which was referred to the Committee on Legal Affairs.

Mr. BARTLETT presented the petition of W. J. Drew and others.

Mr. PHILLIPS presented the petition of the school committee of Orono and others.

These petitions, severally for a State board of examiners for teachers, were referred to the Committee on Education.

Mr. BOARDMAN presented a bill (S. 39) additional to chapter 49 of the revised statutes, relating to life insurance, which was referred to the Committee on Mercantile Affairs and Insurance.

Severally sent down for concurrence.

Mr. PHILLIPS presented (S. 5) resolve in favor of the Joint Standing Committee on Education, and

\*148 \* On motion by the same Senator,

*Ordered*, That it lie on the table and be printed.

On motion by Mr. DAVIS of Cumberland,

The bill (H. R. 2) to provide for the improvement of the navigation of the Souedehunk stream for log driving, was taken from the table, and

On motion of the same Senator,

*Ordered*, That the bill be printed, and that Thursday next be assigned for its consideration.

Mr. BARTLETT, from the Committee on Financial Affairs, to whom was referred the petition of F. B. Ward and others for an increase of salary of the county commissioners of Somerset county, reported that the same be referred to the Somerset County Delegation.

Mr. MORRISON, from the Committee on Legal Affairs, to whom was referred an order relating to prescribing the manner of cancelling town orders, reported that legislation thereon is inexpedient.

Mr. PHILLIPS, from the same Committee, to whom was referred a bill (S. 13) to amend section 1 of chapter 98 of the public laws of 1876, relating to the protection of game, reported that the same ought not to pass.

The same Senator, from the same Committee, to whom was referred a bill (S. 14) to promote the safety of the travelling public, reported that the same ought not to pass.

These reports were accepted.

Sent down for concurrence.

Mr. PHILLIPS, from the Committee on Legal Affairs, to whom was referred the petition of B. R. Buker and others, with bill, reported the bill (S. 11) to authorize the town of Hampden to receive money to keep in \*repair any cemeteries in said \*149 town.

The same Senator, from the same Committee, to whom was referred the petition of Benjamin True, (with bill,) reported the bill (S. 12) to make valid the doings of Benjamin True as a justice of the peace.

Mr. MORRISON, from the same Committee, to whom was referred the petition of the assessors of No. 6 plantation in Franklin county, reported a bill (S. 40) to make valid the doings of the assessors of No. 6 plantation for the years 1876 and 1877.

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 resolve and bills :

H. R. 2. Resolve to amend chapter 133 of resolves of 1867 ;

H. R. 29. An act providing for payment of certain rents now in suit to the agent of the Penobscot tribe of Indians ;

H. R. 15. An act to incorporate the Crystal Dam Company ;

H. R. 67. An act additional to chapter 127 of the revised statutes, in relation to malicious mischief and trespass on property ;

Which were each read a second time and passed to be engrossed in concurrence.

The same Committee also reported the following bills and resolve :

S. 23. An act to amend section 32, chapter 4 of the revised statutes, as amended by chapter 213 of the public laws of 1877, relating to elections ;

\*150 S. 24. An act to amend section 2 of chapter \* 106 of the revised statutes, relating to the lists and qualification of jurors ;

S. 4. An act to amend chapter 124, section 18, of the revised statutes, relating to camp-meetings ;

S. 3. Resolve for the purchase of the Maine State Year Book and Legislative Manual.

Which were each 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 resolve :

S. 1. Resolve relating to the currency, which was finally passed in concurrence.

And this resolve, having been signed by the President, was by the Secretary presented to the Governor for his approval.

On motion by Mr. GRINDLE, at 35 minutes past 11 o'clock A. M.,

The Senate adjourned.

FRIDAY, JANUARY 25, 1878.

Senate met according to adjournment.

Prayer by Rev. Mr. EMMONS of Hallowell.

On motion by Mr. PHILLIPS,

*Ordered*, That the reading of the Journal of yesterday be omitted.

\* Order from the House :

\*151

That the Committee on State Lands and State Roads inquire into the situation of the settlers on lands which were allotted for settlement under the laws of this State, in township 18, ranges 4, 5, 6 and 7, was read and passed in concurrence.

Petition of the school committee of Littleton ;

Petition of George E. Bonnell and others ;

Petition of E. R. Benner and others,—severally for a State board of examiners for teachers ;

Were each referred to the Committee on Education in concurrence.

Remonstrance of Nelson Dingley, Jr., and others ;

Remonstrance of George A. Preble and others ;

Remonstrance of the Bridgton Reform Club ;

Remonstrance of Sidney Perham and others ;

Remonstrance of Rufus Gibbs and others ;

Remonstrance of J. M. Garland and others ;

Remonstrance of W. L. Parks and others ;

Remonstrance of H. A. Fowler and others ;

Remonstrance of W. R. Hall and others ;

Remonstrance of Elijah Lowe and others ;

Remonstrance of George M. B. Sprague and others ;

Remonstrance of C. L. Brown and others ;

Remonstrance of Albert H. Genn and others ;

Resolution by a convention of reform clubs at Gardiner,—severally against the proposed amendment to the apothecary bill ;

Were referred to the Committee on Temperance in concurrence.

H. R. 71. A bill additional to chapter 218 of the acts of 1877, entitled "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 referred to the Committee on Banks and Banking in concurrence.

Report of the Committee on Legal Affairs, on the petition of T. W. Robinson and others for legislation for the protection of game, that the petitioners have leave to withdraw;

\*152 \*Report of the same Committee, on an order relating to so amending chapter 66 of the revised statutes as to allow costs to parties in contested cases before commissioners of insolvency, that legislation thereon is inexpedient;

Report of the Committee on Manufactures, on an order relating to amending the ninth specification of section 6 of chapter 6 of the revised statutes, relating to taxation, so as to include mining and smelting works the same as manufacturing establishments, that legislation thereon is inexpedient;

Were severally accepted in concurrence.

Report of the Committee on the Judiciary, on bill (H. R. 23) to incorporate the Cumberland Club of Portland, with the same in a new draft and that it ought to pass, was accepted in concurrence, the bill read once, and Monday assigned for its second reading.

The order of the House, that the Committee on Financial Affairs be instructed to inquire into the expediency of discontinuing the Maine State College of Agriculture and the Mechanic Arts and of dividing its permanent funds equally between certain institutions upon certain conditions, which was indefinitely postponed by the Senate and sent down, came back, and

The House insists upon the passage of the order, and proposes a Committee of Conference, and

Messrs. Drinkwater of Ellsworth, Young of Brunswick and Robie of Gorham are appointed conferees.

On motion by Mr. NEALLEY,

\*153 *Resolved*, That the Senate insists upon its \*action, and concurs in the proposed conference, and

Messrs. Nealley of Penobscot, Stevens of Kennebec and Morison of Franklin, were appointed conferees on the part of the Senate.

On motion by Mr. BAILEY,

*Ordered*, That when the Senate adjourns it be until Monday, 28th instant, at 2 o'clock P. M.

Mr. COBB presented the petition of the State Temperance Convention, for further repression of the liquor traffic ;

Also the remonstrance of the same convention against the proposed amendment to the law relating to apothecaries.

Mr. IRISH presented the remonstrance of citizens of Bethel against the same.

The petition and remonstrances were referred to the Committee on Temperance.

Sent down for concurrence.

Mr. BURLEIGH presented the petition of James Nutting and others, for an investigation of the claim of the heirs of John Godard to cut timber on public lots in Perham plantation, which was referred to the Committee on State Lands and State Roads.

Sent down for concurrence.

Mr. BRAGDON presented the petition of Henry Coombs and others.

Mr. NASH presented the petition of W. I. Crane and others.

Mr. PRINCE presented the petition of Charles Hutchins and others.

Mr. NEALLEY presented the remonstrance of the school committee of Bangor.

These petitions, severally for a State board \* of exami- \*154  
ners for teachers, and the remonstrance against the same,  
were referred to the Committee on Education.

Sent down for concurrence.

Mr. WOODWARD, from the Committee on Claims, to whom was referred the petition of the selectmen of Mayfield for abatement of State tax of said town, reported that the petitioners have leave to withdraw.

Mr. DAVIS of Cumberland, from the Committee on Railroads, on an order relating to the running of excursion trains on Sunday, reported that legislation thereon is inexpedient.

Mr. DAVIS of Penobscot, from the Committee on the Judiciary, to whom was referred the bill (S. 1) repealing chapter 182 of the

public laws of 1877, relating to the taxation of personal property, reported that the same ought not to pass.

Mr. STEVENS, from the Committee on the Judiciary, to whom was referred the bill (S. 9) to amend section 15 of chapter 116 of the revised statutes, regulating fees of attorneys in criminal prosecutions, reported that the same ought not to pass.

These reports were severally accepted.

Sent down for concurrence.

Mr. DAVIS of Penobscot, from the Committee on the Judiciary, to whom was referred the bill (S. 25) additional to chapter 371 of the private and special laws of 1877, entitled "an act to repeal an act entitled an act to incorporate the town of Barnard," reported that the same ought to pass.

Mr. STEVENS, from the same Committee, to whom was referred the bill (S. 21) in relation to disorganized towns, reported that the same ought to pass.

\*155 \* Mr. NASH, from the Committee on Railroads, to whom was referred the bill (S. 30) additional relating to the Portland and Deering Railroad Company, reported that the same ought to pass.

These reports were severally accepted, the bills each read once, and Monday assigned for their second reading.

Mr. NEALLEY, from the Committee on Railroads, to whom was referred the bills :

S. 31. A bill additional relative to the Boston and Maine Railroad, and

S. 32. A bill to amend section 1 of chapter 223 of the public laws of 1871, relating to fares on railroads, reported that the same ought to pass.

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 and resolves :

H. R. 26. An act to amend section 7 of chapter 180 of the special laws of 1872, entitled "an act to authorize the city of Portland to aid the construction and western extensions of the Portland and Rochester Railroad ;"

H. R. 15. Resolve in favor of Nelson Turney ;

H. R. 16. Resolve in favor of William H. Scott;

H. R. 17. Resolve in favor of Benjamin F. Allen;

Which were each read a second time and passed to be engrossed in concurrence.

The same Committee also reported the following bills:

S. 11. An act to authorize the town of Hampden to receive money to keep in repair any cemeteries in said town;

\*S. 12. An act to make valid the doings of Benjamin \*156 True as a justice of the peace;

S. 40. An act to make valid the doings of the assessors of No. 6 plantation for the years 1876 and 1877;

Which were each 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. 11. An act to amend chapter 391 of the laws of 1873, entitled "an act to incorporate the Evans Rifle Manufacturing Company;"

H. R. 40. An act to amend an act entitled "an act to authorize the building of a dyke or dam across Dyke Branch stream in the town of Columbia, county of Washington;"

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.

On motion of Mr. DAVIS of Cumberland, at 8 minutes past 11 o'clock A. M.,

The Senate adjourned.

\*157

\* MONDAY, JANUARY 28, 1878.

Senate met according to adjournment, and was called to order by the Secretary.

On motion by Mr. STEVENS,

Messrs. Stevens of Kennebec, Nash of Washington and Martin of Knox, 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:

Whole number of votes is .....	19
Necessary for a choice .....	10
Isaac M. Boardman has .....	18
James Irish.....	1

The report was accepted, and Hon. Isaac M. Boardman was declared duly elected President *pro tempore*.

Mr. Boardman was conducted to the chair by Mr. Bragdon of Hancock and Mr. Woodward of Lincoln, and briefly addressed the Senate accepting the office.

Prayer was offered by Rev. Mr. FULLER of Hallowell.

On motion by Mr. IRISH,

*Ordered*, That the reading of the Journal of Friday be omitted. \*

\*158 \* Papers from the House:

Petition of G. W. Black, for reimbursement of money paid for Mahoney island, which was sold by the State in 1876, was referred to the Committee on Claims in concurrence.

Petition of C. H. and T. J. Southard and others, in aid of the petitions for vesting the franchise of Merrymeeting bridge in the county of Sagadahoc, was referred to the Committee on Ways and Bridges in concurrence.

Remonstrance of Charles Hammond and others, against legislation to prevent the throwing of certain refuse material into the Kennebec river and its tributaries, was referred to the Committee on Interior Waters in concurrence.

Petition of John Collins and others, for legislation relating to the arrest and confinement of intoxicated persons until they disclose of whom they purchased liquor ;

Remonstrance of C. C. Oakes and others ;

Remonstrance of W. R. Cross and others ;

Remonstrance of T. R. Simonton and others ;

Remonstrance of Isaac Oakes and others ;

Remonstrance of A. Hacks and others ;

Remonstrance of George G. Hamilton and others ;

Remonstrance of D. C. Palmer and others ;

Remonstrance of J. C. Morrison and others ;

Remonstrance of A. L. Park and others ;

Remonstrance of Charles Gammon and others ;

Remonstrance of M. M. Springer and others ;

Remonstrance of Thomas Stevens and others ;

Remonstrance of J. H. Hamilton and others ;

Remonstrance of John Totman and others ;

Remonstrance of officers and members of United Lodge No. 3, of Good Templars ;

Remonstrance of George O. Keith and others ;

Remonstrance of B. F. Foster and others ;

Remonstrance of F. C. Simonds and others ;

Remonstrance of C. F. Penney and others ;

Remonstrance of H. S. Burns and others ;

Remonstrance of Bertha E. Kennedy and others ;

Remonstrance of Lewis Packard and others ;

Remonstrance of G. S. Cloudman and others ;

Remonstrance of Henry Tallman and others ;

Remonstrance of Mrs. A. H. Barton and others ;

Remonstrance of F. O. Gould and others ;

Remonstrance of L. B. Chapman and others ;

Remonstrance of Charles Sawyer and others ;

Remonstrance of Edwin R. Hunt and others ;

Remonstrance of W. I. Davis and others,—\*severally \*159 against the proposed amendment to the law relating to the business of apothecaries ;

Were referred to the Committee on Temperance in concurrence.

H. R. 72. A bill additional to an act to incorporate the city of Bath, was referred to the Committee on the Judiciary in concurrence.

H. R. 73. A bill for a more extensive use and for the safe preservation of the funds of educational institutions, was referred to the Committee on Education in concurrence.

H. R. 19. Resolve in favor of the town of Maysville, was referred to the Committee on Financial Affairs in concurrence.

Report of the Committee on Claims, on (H. R. 8) resolve in favor of John Relehan, that the same be referred to the Governor and Council;

Report of the Committee on Agriculture, on the petition of E. A. Davis and others for a bounty on wild cats, that the petitioners have leave to withdraw;

Were severally accepted in concurrence.

Report of the Committee on Education, on the petition of the town authorities of Gouldsboro' for reimbursement of school money, that the petitioners have leave to withdraw, came up accepted, and

On motion by Mr. BRAGDON,

*Ordered*, That it lie on the table.

Report of the Committee on Railroads, on the petition of J. H. Lincoln and others for a charter for a railroad from Presque Isle to the eastern boundary of the State, that the petitioners have leave to withdraw;

Report of the same Committee, on the petition of John Allen and others for a charter for the Aroostook and Penobscot Railroad Company, that the petitioners have leave to withdraw;

\*160 \* Report of the Committee on the Judiciary, on an order relating to regulating the speed of steam vessels in the ports and harbors of the State, that legislation thereon is inexpedient;

Report of the same Committee, on bill (H. R. 3) to repeal chapter 182 of the laws of 1877, that the same ought not to pass;

Were severally accepted in concurrence.

Report of the Committee on the Judiciary, on bill (S. 16) relating to the assignment of rights and credits and mortgages by executors, administrators, guardians and trustees, with the same in a new draft, under title of an act to amend section 32 of chapter 65 of the revised statutes, granting to guardians and

trustees power to assign mortgages and mortgage debts, and that it ought to pass ;

Report of the Committee on Legal Affairs, on bill (H. R. 64) to incorporate the Pythian Hall Association of Portland, that the same ought to pass ;

Report of the same Committee, on the petition of Joseph White and others, submitting a bill (H. R. 74) to authorize the sale of the Union Meeting-house at North Vassalboro' with furniture and fixtures therewith connected ;

Report of the same Committee, on the petition of D. P. Parker and others, submitting a bill (H. R. 75) to make valid the doings of School District No. 18 in the town of Gorham ;

Report of the same Committee, on the petition of O. D. Bailey and others, submitting a bill (H. R. 76) to make legal the doings of the North and West Auburn Cheese Company in the city of Auburn ;

Report of the Committee on Change of Names, on the petition of Nancy S. Hubbard, submitting a bill \*(H. R. 77) \*161 to change the name of Nancy S. Hubbard ;

Report of the Hancock County Delegation, on the petition of citizens of Ellsworth and others, for a reduction of ferryage on the ferry between Hancock and Sullivan, submitting a bill (H. R. 78) to amend an act granting to Ransom B. Abbott the right to establish and maintain a ferry between Sullivan and Hancock ;

Were severally accepted in concurrence, the bills each read once, and to-morrow assigned for their second reading.

A communication was received from Hon. S. J. Chadbourne, Secretary of State, transmitting lists of stockholders of corporations received at the office of Secretary of State, for the year 1877, which was read and sent down.

The following printed resolve :

S. 5. Resolve in favor of the Joint Standing Committee on Education, was read twice, the rules being suspended, and passed to be engrossed.

Sent down for concurrence.

The following printed bills :

S. 31. A bill additional relative to the Boston and Maine Railroad ;

S. 32. A bill to amend section 1 of chapter 223 of the public laws of 1871, relating to fares on railroads ;

Were each read once and to-morrow assigned for their second reading.

On motion by Mr. SUMNER,

*Ordered*, That a message be sent to the Governor and Council, informing the Executive Department that in the absence of the President, Hon. Isaac M. Boardman has been elected President *pro tempore*.

\*162 \*On motion by Mr. MARTIN,

*Ordered*, That a message be sent to the House of Representatives, informing that branch that in the absence of the President, Hon. Isaac M. Boardman has been elected President *pro tempore*.

The messages were conveyed by the Secretary.

Mr. BRAGDON presented the petition of the school committee of Harrison and others ;

Also the petition of H. F. Brawn and others ;

Also the petition of Charles Whittier and others ;

Also the petition of the directors of the Village School District of Augusta and others ;

Also the petition of the supervisor of Edgecomb and others ;

Also the petition of Ephraim Crabtree and others,—severally for a State board of examiners for teachers ;

Which were referred to the Committee on Education.

Sent down for concurrence.

Mr. BRAGDON submitted (S. 6) resolve in favor of the Joint Standing Committee on State Prison, which was read twice, the rules being suspended, and passed to be engrossed.

Sent down for concurrence.

Mr. STEVENS presented a bill (S. 41) to repeal chapter 178 of the public laws of 1877, in relation to demurrers, which was referred to the Committee on the Judiciary.

Sent down for concurrence.

Mr. PHILLIPS, from the Committee on Education, on an order relating to so amending the statutes as to provide that selectmen

of towns may be elected for three years, reported that legislation thereon is inexpedient.

The report was accepted.

Sent down for concurrence.

Mr. STEVENS, from the Committee on the Judiciary, to whom was referred the petition of Frank \*Sawtelle, re- \*163 ported a bill (S. 42) authorizing Frank Sawtelle to dredge bars, remove boulders, and navigate Snow's pond by steam.

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 lands conditionally sold, reported (S. 7) resolve relating to lands held under conditional grants.

The same Senator, from the same Committee, on an order, reported (S. 8) resolve in favor of George F. Foster of Portland.

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

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

H. R. 23. An act to incorporate the Cumberland Club of Portland, which was read a second time and passed to be engrossed in concurrence.

The same Committee also reported the following bills:

S. 25. An act additional to chapter 371 of the private and special laws of 1877, entitled "an act to repeal an act entitled an act to incorporate the town of Barnard;"

S. 21. An act in relation to disorganized towns;

S. 30. An act additional relating to the Portland and Deering Railroad Company;

Which were each read a second time and passed to be engrossed.

Sent down for concurrence.

On motion by Mr. BRAGDON, \*at 20 minutes past 3 \*164 o'clock P. M.,

The Senate adjourned.

TUESDAY, JANUARY 29, 1878.

Senate met according to adjournment.

Prayer by Rev. Mr. HUTCHINS of Gardiner.

On motion by Mr. FERGUSON,

*Ordered*, That the reading of the Journal of yesterday be omitted.

Papers from the House :

Petition of Thomas B. Stover and others, for legislation prohibiting the taking of porgies with seines in the bays and inlets of the State, was referred to the Committee on Fisheries in concurrence.

Petition of S. Jane Lincoln O'Brien and others, for equal political rights, irrespective of sex, was referred to the Committee on the Judiciary in concurrence.

Remonstrance of Mark Rollins and others, against the establishment of a Superior Court in Kennebec county, was referred to the Kennebec County Delegation in concurrence.

Remonstrance of F. Houdlette and others ;

\*165 Remonstrance \* of George B. Randlette and others,—  
against legislation vesting the franchise of Merrymeeting  
bridge in Sagadahoc county ;

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

Report of W. J. Corthell, State Superintendent of Common Schools, upon the subject of the establishment of another normal school (House printed Doc. No. 26 ;)

Petition of school committee and others of Rockland ;

Petition of supervisor of schools and others of Hanover ;

Petition of E. H. Boynton and others of Pittston,—severally  
for a State board of examiners for teachers ;

Petition of the mayor of Portland and others ;

Petition of A. Pierce, mayor of Biddeford and others ;

Petition of J. M. Bailey of Saco ;

Petition of Rufus P. Tapley of Saco ;  
Petition of H. H. Burbank of Saco ;  
Petition of A. W. Pottle ;  
Petition of John E. Derby ;  
Petition of E. Stone ;  
Petition of John M. Goodwin ;  
Petition of E. W. Wedgewood ;  
Petition of R. M. Chapman and others ;  
Petition of John H. Burnham ;  
Petition of Benjamin F. Chadbourne ;

Petition of school committee of Windham,—severally for the establishment of a normal school in the western part of the State ;

Remonstrance of C. T. Healy and others, against the petition of W. W. Hamblet and others that certain territory be set off from District No. 3 in Concord and annex the same to District No. 4 in Embden ;

Were severally referred to the Committee on Education in concurrence.

H. R. 79. A bill to incorporate the Kennebec Association for the protection of fish and game ;

H. R. 80. A bill to ratify, confirm and make valid the action of the city of Ellsworth providing for the funding of its city debt and bonds ;

Were referred to the Committee on the Judiciary in concurrence.

Report of the Committee on Agriculture, on \*the petition \*166 of B. F. Pease and others, submitting a bill (H. R. 81) to incorporate the Ossipee River Union Agricultural Society, came up recommitted to the Committee on the Judiciary, and was recommitted in concurrence.

Report of the Committee on Railroads, on bill (H. R. 65) to authorize the Portland and Ogdensburg Railroad Company to issue preferred stock, and for other purposes, that the same ought to pass ;

Report of the Kennebec County Delegation, on bill (H. R. 19) to abolish the August term of the Supreme Judicial Court in the county of Kennebec, submitting the same in a new draft and that it ought to pass ;

Were accepted in concurrence, the bills each read once, and to-morrow assigned for their second reading.

Report of the Committee on the Judiciary, on bill (S. 1) repealing chapter 182 of the public laws of 1877, relating to the taxation of personal property, that the same ought not to pass, came up recommitted, and

On motion by Mr. DAVIS of Penobscot,

*Resolved*, That the Senate adheres to its vote accepting the report.

Sent down for concurrence.

Mr. LEARNED presented the petition of A. G. Jewett and others, in aid of the bill relating to the police court of Belfast, which was referred to the Waldo County Delegation.

Mr. PHILLIPS presented the petition of the school committee of Swanville ;

Also the petition of the supervisor of schools and others of Topsham,—severally for a State board of examiners for teachers ;

\*167 Which were \*referred to the Committee on Education.

Mr. TOLMAN presented the remonstrance of Thomas D. Emery and others, against the proposed amendment to the bill relating to apothecaries, which was referred to the Committee on Temperance.

Severally sent down for concurrence.

Mr. PRINCE, from the Committee on Legal Affairs, on an order relating to so amending chapter 174 of the public laws of 1877 as to include guardians, reported that legislation thereon is inexpedient.

The report was accepted.

Subsequently, on motion by Mr. PRINCE,

The foregoing vote was reconsidered, and the report was re-committed.

Sent down for concurrence.

Mr. TOLMAN, from the Committee on Interior Waters, to whom was referred the petition of R. D. Silman and others for an amendment of chapter 363 of the private and special laws of 1877, relating to the throwing of refuse into the Piscataquis river, reported that the petitioners have leave to withdraw.

The report was accepted.

Sent down for concurrence.

Mr. BARTLETT, from the Committee on Financial Affairs, to whom was referred the official bond of Hon. Esreff 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. BURLEIGH, from the Committee on State Lands and State Roads, to whom was referred the petition of George Cary and others, reported (H. R. 13) \*resolve in favor of George Cary, Theodore Cary and Jefferson Cary. \*168

The same Senator, from the same Committee, to whom was referred sundry petitions, reported (S. 9) resolve authorizing the conveyance of certain lots of land in the east half of township No. 2, range 5, west from the east line of the State, in the county of Aroostook.

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

On motion by Mr. LEARNED,

The bill (S. 36) in relation to the police court for the city of Belfast, was taken from the table, and

*Ordered*, That it be referred to the Waldo County Delegation.

Sent down for concurrence.

On motion by Mr. MORRISON,

The resolve (S. 4) relating to temperance, was taken from the table and read a first and second times, the rules being suspended.

On the question of passing the resolve to be engrossed, it was determined in the affirmative, { Yeas ..... 24  
Nays ..... none.

On motion by Mr. MORRISON,

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

Those who voted in the affirmative are :

Messrs. Bailey, Bartlett, Boardman, Bragdon, Burleigh, Cobb, Davis of Cumberland, Davis of Penobscot, Ferguson, Grindle, Hassell, Learned, Martin, Moody, Morrison, Nash, Nealley, Phillips, Prince, Stevens, Sumner, Tolman, Totman, Woodward—24.

So the resolve passed to be engrossed.

\* Sent down for concurrence.

\*169

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

S. 16. Bill to amend section 32 of chapter 65 of the revised statutes, granting to guardians and trustees power to assign mortgages and mortgage debts ;

H. R. 64. Bill to incorporate the Pythian Hall Association of Portland ;

H. R. 74. Bill to authorize the sale of the Union Meeting-house at North Vassalboro,' with furniture and fixtures therewith connected ;

H. R. 75. Bill to make valid the doings of School District No. 18 in the town of Gorham ;

H. R. 76. Bill to make legal the doings of the North and West Auburn Cheese Company, in the city of Auburn ;

H. R. 77. Bill to change the name of Nancy S. Hubbard ;

H. R. 78. Bill to amend an act granting to Ransom B. Abbott the right to establish and maintain a ferry between Sullivan and Hancock ;

Which were each read a second time and passed to be engrossed in concurrence.

The same Committee also reported the following bills :

S. 31. Bill additional relative to the Boston and Maine Railroad ;

S. 32. Bill to amend section 1 of chapter 223 of the public laws of 1871, relating to fares on railroads ;

S. 42. Bill authorizing Frank Sawtelle to dredge bars, remove boulders, and navigate Snow pond by steam ;

Which were each read a second time and passed to be engrossed.

Sent down for concurrence.

\*170 \*The Committee on Engrossed Bills reported as truly and strictly engrossed the following bills and resolves :

S. 3. An act to increase the capital stock of the Augusta Water Company ;

H. R. 15. An act to incorporate the Crystal Dam Company ;

H. R. 29. An act providing for the payment of certain rents now in suit to the agent of the Penobscot tribe of Indians ;

H. R. 67. An act additional to chapter 127 of the revised statutes, in relation to malicious mischief and trespasses on property ;

H. R. 2. Resolve to amend chapter 133 of resolves of 1867 ;

H. R. 15. Resolve in favor of Nelson Turney ;

H. R. 16. Resolve in favor of William H. Scott ;

H. R. 17. Resolve in favor of Benjamin F. Allen ;

H. R. 18. Resolve in favor of Franklin Simmons, sculptor ;

Which several bills were each passed to be enacted and the resolves 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. PHILLIPS, at 4 minutes past 11 o'clock A. M.,

The Senate adjourned.

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\* WEDNESDAY, JANUARY 30, 1878. \*171

Senate met according to adjournment.

Prayer by Rev. Mr. PARK of Gardiner.

On motion by Mr. MORRISON,

*Ordered*, That the reading of the Journal of yesterday be omitted.

Orders from the House :

That the Committee on Legal Affairs inquire into the expediency of a law requiring sheriffs to report monthly to the county commissioners of their own counties all the expenses attending the board and support of prisoners confined in the county jails, such report to be accompanied by the vouchers in such cases, was read and passed in concurrence.

That the Committee on State Lands and State Roads inquire into the settlement of the north half of township No. 17, range 6, and report by resolve or otherwise ; also into the sale of public lots in French towns and plantations, viz : F, range 1, G, range 1, L, range 2, M, range 2, 18, range 3, 18, range 4, 18, range 5, 18,

range 6, 18, range 7, 17, range 7, 17, range 8, 17, range 9, 17, range 6, and 16, range 7, was read and passed in concurrence.

Subsequently, on motion by Mr. BAILEY,

The foregoing vote was reconsidered, and

\*172 *Resolved*, That the order be referred to the \*next legislature.

Sent down for concurrence.

Petition of L. R. Giles and others, for a State board of examiners for teachers ;

Remonstrance of Thomas J. Peaks and others ;

Remonstrance of the supervisor of schools of the town of Charleston ;

Remonstrance of George P. Sewall and others,—severally against the same ;

Were referred to the Committee on Education in concurrence.

Remonstrance of Elisha Small and others, against vesting the franchise of Merrymeeting bridge in the county of Sagadahoc, was referred to the Committee on Ways and Bridges in concurrence.

Remonstrance of S. E. Shepherd and others ;

Also fourteen other remonstrances,—severally against legislation to authorize the county commissioners of Knox county to lay out a highway over tide waters of Georges river at or near the Thomaston toll bridge ;

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

Petition of B. Plummer and others, for legislation authorizing the arrest and confinement of intoxicated persons for certain purposes ;

Petition of inhabitants of Portland, for further penalties against the liquor traffic ;

Remonstrance of Moses Lowell and others of Saco ;

Also fifty-nine other remonstrances,—severally against the proposed law relating to the business of apothecaries ;

Were referred to the Committee on Temperance in concurrence.

H. R. 82. A bill to restrict fishing in Sanborn Brothers' pond in Baldwin, was referred to the Committee \*on Fisheries in concurrence.

H. R. 83. A bill to authorize the city of Bath and several towns in the county of Sagadahoc, to aid in the construction and maintainance of Merrymeeting bridge ;

H. R. 84. A bill for the better protection of the rights of towns ;

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

H. R. 85. A bill additional to an act to incorporate the city of Bath, was referred to the Committee on the Judiciary in concurrence.

H. R. 20. Resolve authorizing the location of a land certificate, -was referred to the Committee on State Lands and State Roads in concurrence.

Report of the Committee on Legal Affairs, on the petition of H. B. Cornor for change in the law relating to suits for mal-practice, that the same be referred to the Committee on the Judiciary, was accepted in concurrence.

Report of the same Committee, on an order relating to recovery of damages for injuries received from defective highways, that legislation thereon is inexpedient, came up accepted, and

On motion of Mr. MORRISON,

*Ordered*, That the report be recommitted.

Sent down for concurrence.

Report of the same Committee, on the petition of James Clary and others for legislation requiring counties to support paupers, that the petitioners have leave to withdraw ;

Report of the same Committee, on a bill (H. R. 61) to amend section 8, chapter 66 of the revised statutes, relating to insolvent estates, that the same ought not to pass ;

\* Report of the same Committee, on bill (H. R. 55) to \*174 incorporate the Bridgton Brass Band of Bridgton, that the same ought not to pass ;

Report of the Committee on Interior Waters, on the petition of S. S. Brooks and others for authority to build a wharf in tide waters of Kennebec river, that legislation thereon is inexpedient ;

Were severally accepted in concurrence.

Report of the Committee on Banks and Banking, on bill (S. 35) to amend chapter 218 of the public laws of 1877, relating to savings banks, that the same ought to pass ;

Report of the Committee on the Judiciary, on bill (H. R. 6) relating to levy of execution upon estates held in joint tenancy or in common, with the same in a new draft, under title of an act to amend chapter 76 of the revised statutes, relating to levy of executions upon estates held in joint tenancy or in common ;

Report of the same Committee, on bill (H. R. 22) additional to chapter 68 of the revised statutes, relating to the appointment of trustees, with the same in a new draft and that it ought to pass ;

Report of the Committee on Railroads, on bill (H. R. 34) to amend chapter 192 of the public laws of the year 1877, providing for bridge guards on railroads, that the same ought to pass ;

Report of the Committee on Legal Affairs, on bill (H. R. 38) to amend section 12 of chapter 133 of the public laws of 1873, relating to the jail system of the State, that the same ought to pass ;

Report of the Committee on Indian Affairs, on bill (H. R. 43) relating to the Penobscot tribe of Indians, that the same ought to pass ;

\*175 Report of the Committee on Legal Affairs, on an \* order, submitting a bill (H. R. 86) to amend section 1 of chapter 58 of the public laws of 1876, relating to auctioneers ;

Report of the Committee on Mercantile Affairs and Insurance, on the petition of W. and C. R. Milliken and others, submitting a bill (H. R. 87) to amend section 56 of chapter 38 of the revised statutes, relating to the weight of corn and grain, meal, vegetables and hair ;

Were severally accepted in concurrence, the bills each read once, and to-morrow assigned for their second reading.

The following printed resolves :

S. 7. Resolve relating to lands held under conditional grants ;

S. 8. Resolve in favor of George F. Foster of Portland ;

Were each read once and to-morrow assigned for their second reading.

Mr. BARTLETT presented the remonstrance of H. A. Hurd and others.

Mr. IRISH presented the remonstrance of D. Lowell Lamson and others ;

Also the remonstrance of S. W. Fife and others ;

These remonstrances, severally against the proposed bill relating to apothecaries, were referred to the Committee on Temperance.

Sent down for concurrence.

Mr. GRINDLE presented (S. 10) 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.

Mr. NASH, from the Committee on Railroads, to whom was referred the petition of J. G. Mayo and others, \*re- \*176 ported a bill (S. 43) to extend the time for locating and constructing the Piscataquis Central Railroad.

Mr. BRAGDON, from the Committee on Education, on an order relating to amending section 5 of chapter 11 of the revised statutes, reported a bill (S. 44) to amend chapter 11 of the revised statutes, in relation to the right of plantations to receive their proportion of the State school fund.

These reports were accepted, and the bills each read once and to-morrow assigned for their second reading.

Mr. NEALLEY, from the Committee on State Lands and State Roads, to whom was referred the petition of Elbridge D. Crouse, reported (S. 11) resolve in favor of Elbridge D. Crouse.

The report was accepted and the resolve laid over to be printed under the Joint Rule.

On motion by Mr. BRAGDON,

The report of the Committee on Education, on the petition of the town authorities of Gouldsboro' for reimbursement of school money, that the petitioners have leave to withdraw, was taken from the table, and

*Ordered*, That the report be recommitted.

Sent down for concurrence.

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

H. R. 65. Bill to authorize the Portland and Ogdensburg Railroad Company to issue preferred stock, and for other purposes,

which was read a second time and passed to be engrossed in concurrence.

The same Committee also reported the following bill :

\*177 \*H. R. 19. Bill to abolish the August term of the Supreme Judicial Court in the county of Kennebec, which was read a second time, and pending the adoption of House amendment "A,"

On motion by Mr. HAYNES,  
*Ordered*, That it lie on the table.

On motion by Mr. FERGUSON, at 4 minutes past 11 o'clock A. M.,

The Senate adjourned.

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THURSDAY, JANUARY 31, 1878.

Senate met according to adjournment.

The President resumed the Chair.

Prayer by Rev. Mr. BLAISDELL of Gardiner.

On motion by Mr. MARTIN,

*Ordered*, That the reading of the Journal of yesterday be omitted.

Order from the House :

That the Committee on the Judiciary inquire into the expediency of amending chapter 258 of the public laws of 1874, so as to enlarge the time within which the Governor and Council may assess taxes, was read and passed in concurrence.

\*178 Petition of the school committee of Kennebunk, \*for the establishment of a western normal school ;

Petition of the school committee of Shérman ;

Petition of R. W. Emerson and others ;

Petition of the school committee of Smyrna ;

Petition of J. W. Maxwell of Webster ;

Petition of W. S. Jones and others ;

Petition of B. Dunning and others,—severally for a board of examiners for teachers ;

Remonstrance of S. A. Maxim and others, against the proposition to divert the savings bank tax from the support of schools to the general expenses of the State ;

Were referred to the Committee on Education in concurrence.

Remonstrance of Charles A. Metcalf and others ;

Remonstrance of James H. Berry and others ;

Remonstrance of H. A. Wentworth and others ;

Remonstrance of Mrs. S. D. Thompson and others ;

Remonstrance of John C. Conner and others ;

Remonstrance of C. A. Farwell and others,—severally against the proposed bill relating to the business of apothecaries ;

Were referred to the Committee on Temperance in concurrence.

H. R. 88. A bill to amend an act entitled “an act to regulate and protect fisheries and propagation of fish,” was referred to the Committee on Fisheries in concurrence.

H. R. 89. A bill to repeal chapter 106 of the public laws of 1876, entitled “an act to amend chapter 30, section 9, of the revised statutes, relating to deer ;”

H. R. 90. A bill to amend section 109, chapter 6 of the revised statutes, relating to the collection of taxes ;

Were referred to the Committee on Legal Affairs in concurrence.

H. R. 21. Resolve in favor of Ida Brown, was referred to the Committee on State Lands and State Roads in concurrence.

Report of the Committee on the Judiciary, on bill \* (H. R. 48) to amend chapter 80 of the revised statutes, \*179 enlarging the powers of constables, that the same ought not to pass ;

Report of the Committee on Legal Affairs, on bill (H. R. 70) to regulate the sale of ice, that the same ought not to pass ;

Report of the Committee on Railroads, on bill (H. R. 35) additional to chapter 51 of the revised statutes, to further provide for safety on railroads, that the same ought not to pass ;

Report of the Committee on Claims, on the petition of John Sterling for pay for labor on State road, that the petitioner has leave to withdraw ;

Report of the Committee on Education, on the petition of Isaiah Gifford and others for legislation regulating the powers of school districts, that the petitioners have leave to withdraw ;

Report of the Committee on Financial Affairs, on the petition of W. A. Wyman and others for an abatement of the State tax of the town of Barnard, that the petitioners have leave to withdraw ;

Report of the Committee on the Judiciary, on the petition of the overseers of the poor of Poland for an amendment of section 14, chapter 24 of the revised statutes, relating to binding out minor children, that the petitioners have leave to withdraw ;

Report of the Committee on Legal Affairs, on the petition of citizens of Caribou for the incorporation of the East Lyndon Manufacturing Company, that the petitioners have leave to withdraw ;

Report of the same Committee, on the petition of Joseph W. Porter and others for an amendment of section 53 of chapter 6 of the revised statutes, relating to roads in unincorporated  
\*180 places, that the petitioners have \*leave to withdraw ;

Report of the same Committee, on the petition of Fountain Rodick and others for a charter for a telegraph company from Bar Harbor to Ellsworth, that the same be referred to the next Legislature with an order of notice ;

Report of the Committee on Change of Names, on the petition of J. C. Hall and others for a change of the name of the town of Caribou to Lyndon, that the petitioners have leave to withdraw ;

Were severally accepted in concurrence.

Report of the Committee on State Lands and State Roads, on the petition of S. W. Stratton for a lot of land, that the petitioner has leave to withdraw ;

Report of the same Committee, on the petition of Albion W. Stratton for a lot of land, that the petitioner has leave to withdraw, came from the House severally accepted, and

On motion by Mr. BURLEIGH,

The Senate non-concurred, and the reports were recommitted.  
Sent down for concurrence.

Report of the Kennebec County Delegation, on bill (H. R. 20) to facilitate the prompt administration of justice by establishing a Superior Court in the county of Kennebec, that the same ought to pass ;

Report of the Committee on Legal Affairs, on the petition of G. A. Wilson and others, with bill (H. R. 91) to amend chapter 75 of the special laws of 1866, entitled "an act creating the South Paris Village Corporation," and that it ought to pass;

Report of the same Committee, on the petition of W. V. Tainter and others, submitting a bill (H. R. 92) to confirm and make valid the doings of Union School \*District, composed \*181 of district No. 1 in the town of Carthage, district No. 19 in the town of Wilton, in the county of Franklin, and district No. 12 in the town of Dixfield, in the county of Oxford;

Report of the Committee on Railroads, on the petition of John B. Brown and others, with bill (H. R. 93) additional to an act to establish the Atlantic and St. Lawrence Railroad Company, and that it ought to pass;

Report of the Committee on Ways and Bridges, on the petition of Leander C. Perkins and others, with bill (H. R. 94) granting the towns surrounding Toddy pond in Hancock county the right to build and maintain a bridge across said pond, and that it ought to pass;

Report of the Committee on Library, on (H. R. 5) resolve relating to the purchase of Maine Reports, that the same ought to pass;

Report of the Committee on Claims, on the petition of William Conary, submitting (H. R. 22) resolve in favor of William Conary;

Were severally accepted in concurrence, the bills and resolves each read once, and to-morrow assigned for their second reading.

H. R. 23. Resolve in favor of the Joint Standing Committee on Military Affairs, came from the House passed to be engrossed, and was read twice, the rules being suspended, and passed to be engrossed in concurrence.

H. R. 24. Resolve to transfer certain records pertaining to the soldiers of the war of 1861 from the office of the Secretary of State to that of the Adjutant General, came from the House passed to be engrossed, and was read once and to-morrow assigned for its second \*reading. \*182

The official bond of Hon. Esreff 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.

A communication was received from Hon. L. A. Emery, Attorney General, submitting a report upon the claims of settlers under the Treaty of Washington, pursuant to resolve of the Legislature, approved February 9, 1877, which was read, and

On motion by Mr. NEALLEY,

*Ordered*, That it lie on the table and be printed with the accompanying report.

On motion by Mr. BAILEY,

*Ordered*, That a message be conveyed by the Secretary to the Governor and Council, informing them that Hon. Esreff H. 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. STEVENS presented the remonstrance of Mrs. J. B. Kelley and others.

Mr. TOTMAN presented the remonstrance of Neal Dow and others.

These remonstrances, severally against the proposed bill relating to apothecaries, were referred to the Committee on Temperance.

Sent down for concurrence.

Mr. FERGUSON presented (S. 12) resolve in favor of the Shapleigh and Acton Agricultural Society, which was referred to the Committee on Agriculture.

\*183 \*Mr. DAVIS of Penobscot presented a bill (S. 45) in regard to the renewal of trial justice executions, which was referred to the Committee on the Judiciary.

Sent down for concurrence.

Mr. IRISH, from the Committee on Fisheries, to whom was referred the petition of John and Edwin H. Treat for exemption from liability to build a fishway in their dam on Cold stream in Enfield, reported that the petitioners have leave to withdraw.

Mr. HOBSON, from the Committee on Manufactures, to whom was referred the petition of Otis Reed and others for the incorporation of the Upper Stillwater Boot and Shoe Manufacturing Company, reported that legislation thereon is unnecessary.

Mr. BURLEIGH, from the Committee on State Lands and State Roads, to whom was referred the petition of Henry C. Glidden for a lot of land, reported that the petitioner has leave to withdraw.

Mr. MOODY, from the Committee on Mercantile Affairs and Insurance, to whom was referred the bill (S. 51) additional to chapter 49 of the revised statutes, relating to life insurance, reported that the same ought not to pass.

These reports were severally accepted.

Sent down for concurrence.

Mr. NEALLEY, from the Committee of Conference on the disagreeing votes of the two branches, on an order relating to discontinuing the Maine State College of Agriculture and the Mechanic Arts, and of dividing its funds among certain institutions, reported that the Committee were unable to agree with the Committee appointed on the part of the House, and ask to be discharged.

\* The report was accepted.

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Mr. IRISH, from the Committee on Fisheries, to whom was referred the petition of William N. Perkins and others, reported a bill (S. 46) for the protection of smelts in Bagaduce river and tributaries in the county of Hancock.

Mr. BOARDMAN, from the Committee on Mercantile Affairs and Insurance, to whom was referred the bill (S. 39) additional to chapter 49 of the revised statutes, relating to life insurance, reported that the same ought to pass.

Mr. SUMNER, from the Committee on Indian Affairs, on an order, reported a bill (S. 47) to amend section 2 of chapter 267 of the public laws of 1873.

Mr. BRAGDON, from the Committee on Ways and Bridges, to whom was referred the petitions of James H. Kellerhan and others, reported a bill (S. 48) authorizing the location of a highway over the tide waters of Georges river in Thomaston.

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

Mr. DRAKE, from the Committee on Agriculture, to whom was referred sundry petitions and orders relating to mischievous dogs, reported a bill (S. 49) to repeal chapter 200 of the public laws of

1877, entitled "an act additional to chapter 30 of the revised statutes, relating to mischievous dogs," and pending the acceptance of the report,

On motion by Mr. PRINCE,

*Ordered*, That it lie on the table.

Mr. PHILLIPS, from the Committee on Legal Affairs, to whom was referred the petition of citizens of Ellsworth, reported a bill (S. 50) to amend the charter of \*the city of Ellsworth, and that it ought to pass.

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

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

H. R. 6. Bill to amend chapter 76 of the revised statutes, relating to levy of executions upon estates held in joint tenancy or in common ;

H. R. 22. Bill additional to chapter 68 of the revised statutes, relating to the appointment of trustees ;

H. R. 34. Bill to amend chapter 192 of the public laws of the year 1877, providing for bridge guards on railroads ;

H. R. 38. Bill to amend section 12 of chapter 133 of the public laws of 1873, relating to the jail system of the State ;

H. R. 43. Bill relating to the Penobscot tribe of Indians ;

H. R. 87. Bill to amend section 56 of chapter 38 of the revised statutes, relating to the weight of corn and grain, meal, vegetables and hair ;

S. 35. Bill to amend chapter 218 of the public laws of 1877, relating to savings banks ;

Which were each read a second time and passed to be engrossed in concurrence.

The same Committee also reported the following bill :

H. R. 86. Bill to amend section 1 of chapter 58 of the public laws of 1876, relating to auctioneers, which was read a second time, and

On motion by Mr. PRINCE,

*Ordered*, That it lie on the table.

\*186 \*The same Committee also reported the following bills and resolves :

S. 43. Bill to extend the time for locating and constructing the Piscataquis Central Railroad;

S. 44. Bill to amend chapter 11 of the revised statutes, in relation to the right of plantations to receive their proportion of the State school fund;

S. 7. Resolve relating to lands held under conditional grants;

S. 8. Resolve in favor of George F. Foster of Portland;

Which were each 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. 23. An act to incorporate the Cumberland Club of Portland;

H. R. 26. An act to amend section 7 of chapter 180 of the special laws of 1872, entitled "an act to authorize the city of Portland to aid the construction and western extensions of the Portland and Rochester Railroad;"

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.

On motion by Mr. DAVIS of Cumberland,

H. R. 2. Bill to provide for the improvement of the navigation of the Souedehunk stream for log driving, specially assigned for to-day, was taken from the table, and

*Ordered*, That it be recommitted to the Committee on Interior Waters.

\* Sent down for concurrence.

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On motion by Mr. NEALLEY, at 20 minutes past 11 o'clock A. M.,

The Senate adjourned.

FRIDAY, FEBRUARY 1, 1878.

Senate met according to adjournment.

Prayer by Rev. Mr. HAYDEN of Gardiner.

On motion by Mr. NEALLEY.

*Ordered*, That the reading of the Journal of yesterday be omitted.

Papers from the House :

Remonstrance of J. W. Starbird and others ;

Remonstrance of Benjamin F. Merrill and others ;

Remonstrance of Benjamin F. Carter and others ;

Remonstrance of Frank W. Carter and others,—severally against the proposed bill relating to apothecaries ;

Were each referred to the Committee on Temperance in concurrence.

H. R. 29. Resolve in favor of the town of Fort Kent ;

H. R. 28. Resolve in favor of the town of Frenchville, formerly the town of Dickeyville ;

H. R. 25. Resolve to revive and put in force a resolve, chapter 58 of 1869, abating certain plantation taxes ;

Were referred to the Committee on Financial Affairs in concurrence.

\*188 \*Report of the Committee on Commerce, on an order relating to the rights and liabilities of owners of tow boats, that legislation thereon is inexpedient ;

Report of the Committee on Education, on an order relating to repealing the law relating to free high schools, that legislation thereon is inexpedient ;

Report of the same Committee, on the petition of C. F. Penney and others for aid for the Maine Central Institute, that the petitioners have leave to withdraw ;

Report of the Committee on Fisheries, on the petition of R. W. Walker and others for legislation to protect alewives in Bagaduce river, that the petitioners have leave to withdraw ;

Report of the Committee on Financial Affairs, on the petition of Samuel J. Anderson and others for a mineralogical and geological survey of the State, that the same be referred to the next Legislature;

Report of the Committee on Mercantile Affairs and Insurance, on an order relating to amending sections 49 and 57 of chapter 49 of the revised statutes, relating to insurance companies doing business in this State, that legislation thereon is inexpedient;

Report of the same Committee, on an order relating to regulating the per cent. of value above which property cannot be insured, that legislation thereon is inexpedient;

Report of the Committee on Legal Affairs, on the petition of Ara Cushman and others for the incorporation of the Auburn Harpswell Association, that the petitioners have leave to withdraw;

Report of the same Committee, on the petition of George W. Ward and others for the incorporation of Granite Lodge No. 14, Independent Order of Odd Fellows of Biddeford, that the petitioners have leave to withdraw;

\*Report of the Committee on Pensions, on the petition \*189 of D. W. Sawyer and others, praying that a pension be granted to Mrs. Betsey Tibbetts, that the petitioners have leave to withdraw;

Report of the Committee on Towns, on the petition of John A. McIntire and others to have certain territory set off from Berwick and annexed to South Berwick, that the petitioners have leave to withdraw;

Were severally accepted in concurrence.

Report of the Committee on the Judiciary, on bill (S. 7) to amend chapter 346 of the private and special laws of 1877, entitled "an act to promote the efficiency of the police force of the city of Portland," with the same in a new draft, under title of (S. 7) an act to amend chapter 346 of the special laws of 1877, entitled "an act to promote the efficiency of the police force of the city of Portland," and that it ought to pass, was accepted, the bill read twice, the rules being suspended, and passed to be engrossed in concurrence.

Report of the Committee on Change of Names, on the petition of Rufus Edwin Bubier, submitting a bill (H. R. 95) to change

the name of Rufus Edwin Bubier, came up accepted, and pending acceptance by the Senate,

On motion by Mr. PHILLIPS,

*Ordered*, That it lie on the table.

Report of the Committee on Towns, on the petition of Davis Tillson and others, that the Committee are unable to agree, five favoring a report that the petitioners have leave to withdraw and five being in favor of submitting a bill (H. R. 96) to incorporate the town of Hurricane Isle, was accepted in concurrence, the bill read once, and

On motion by Mr. MARTIN,

*Ordered*, That Tuesday, February 5, be assigned for its  
\*190 \*second reading.

Report of the Committee on Indian Affairs, on the report of the Agent of the Passamaquoddy Indians, submitting (H. R. 26) resolve in favor of the Passamaquoddy Indians ;

Report of the Committee on State Lands and State Roads, on the petition of the selectmen of Shirley for aid on a road in said town, submitting (H. R. 27) resolve in aid of the towns of Blanchard and Shirley ;

Were accepted in concurrence, the resolves each read once, and Monday assigned for their second reading.

H. R. 30. Resolve in favor of Joseph M. Socklexis, came from the House passed to be engrossed, and was read twice, the rules being suspended, and passed to be engrossed in concurrence.

The following printed resolves :

H. R. 13. Resolve in favor of George Cary, Theodore Cary and Jefferson Cary ;

S. 9. Resolve authorizing the conveyance of certain lots of land in the east half of township No. 2, range 5, west from the east line of the State, in the county of Aroostook ;

S. 11. Resolve in favor of Elbridge D. Crouse ;

Were each read once and Monday assigned for their second reading.

On motion by Mr. WOODWARD,

*Ordered*, That when the Senate adjourns it be until Monday next at 4 o'clock P. M.

Mr. DAVIS of Penobscot presented the petition of Noah Barker and others, for repeal of the act of 1877, relating to dogs, which was referred to the Committee on Agriculture.

Sent down for concurrence.

\* Mr. MORRISON presented a bill (S. 52) concerning \*191 itinerant physicians, which was referred to the Committee on Legal Affairs.

Sent down for concurrence.

Mr. PHILLIPS, from the Committee on Legal Affairs, to whom was referred the bill (S. 15) to incorporate the Bangor Board of Trade, reported that the same ought not to pass.

Mr. NASH, from the Committee on Railroads, to whom was referred the bill (S. 29) to amend section 15 of chapter 49 of the private and special laws of 1872, reported that the same ought not to pass.

Mr. MOULTON, from the Committee on Ways and Bridges, to whom was referred the petition of E. G. Harlow and others for an appropriation for a bridge across the Androscoggin river at Dixfield, reported that the same be referred to the next Legislature, with an order of notice.

These reports were severally accepted.

Sent down for concurrence.

Mr. BOARDMAN, from the Waldo County Delegation, to whom was referred the bill (S. 36) in relation to the police court for the city of Belfast, reported that the same ought to pass.

The report was accepted, the bill read twice, the rules being suspended, and passed to be engrossed.

Sent down for concurrence.

Mr. MORRISON, from the Committee on Reform School, to whom was referred the annual report of that institution, reported (S. 13) resolve in favor of the State Reform School, and that it ought to pass.

The report was accepted, the resolve read \*once, and \*192 Monday assigned for its second reading.

Mr. HOBSON, from the Committee on Banks and Banking, on an order, reported a bill (S. 53) to amend section 10 of chapter 218 of the public laws of 1877, relating to savings banks.

Mr. PHILLIPS, from the Committee on Education, on sundry petitions, reported a bill (S. 54) to establish a State board of examiners of teachers of the public schools.

Mr. BOARDMAN, from the Committee on Interior Waters, on an order and certain petitions and bill, reported a bill (S. 55) to prevent the throwing of slabs and other refuse into the Kennebec river and its tributaries.

Mr. HAYNES, from the Committee on the Judiciary, on the petition of James Ripley, Lewis Crosby and others, reported a bill (S. 56) to create a lien on hemlock bark.

Mr. DAVIS of Penobscot, from the same Committee, on bill (H. R. 49) to encourage the development of the mining interests of the State, reported the same in a new draft and that it ought to pass.

Mr. BURLEIGH, from the Committee on State Lands and State Roads, on an order, reported a bill (S. 57) to amend chapter 141 of the public acts of 1876, relating to the settlement of the public lands.

These reports were severally 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 bills and resolves :

H. R. 91. Bill to amend chapter 75 of the special laws of 1866, entitled "an act creating the South Paris Village \*193 \*Corporation ;"

H. R. 92. Bill to confirm and make valid the doings of Union School District, composed of District No. 1 in the town of Carthage, District No. 19 in the town of Wilton, in the county of Franklin, and District No. 12 in the town of Dixfield, in the county of Oxford ;

H. R. 93. Bill additional to an act to establish the Atlantic and St. Lawrence Railroad Company ;

H. R. 94. Bill granting the towns surrounding Toddy pond, in Hancock county, the right to build and maintain a bridge across said pond ;

H. R. 5. Resolve relating to the purchase of Maine Reports ;

H. R. 22. Resolve in favor of William Conary ;

H. R. 24. Resolve to transfer certain records pertaining to the

soldiers of the war of 1861 from the office of the Secretary of State to that of the Adjutant General ;

Which were each read a second time and passed to be engrossed in concurrence.

The same Committee also reported the following bill :

H. R. 20. Bill to facilitate the prompt administration of justice by establishing a Superior Court in the county of Kennebec, which was read a second time, House amendments "A" and "C" were agreed to, and the bill, as amended, passed to be engrossed in concurrence.

The same Committee also reported the following bill :

S. 50. Bill to amend the charter of the city of Ellsworth, which was read a second time and passed to be engrossed.

Sent down for concurrence.

\*The Committee on Engrossed Bills reported as truly \*194 and strictly engrossed the following bills and resolve :

S. 4. An act to amend chapter 124, section 18, of the revised statutes, relating to camp-meetings ;

S. 11. An act to authorize the town of Hampden to receive money to keep in repair any cemeteries in said town ;

S. 12. An act to make valid the doings of Benjamin True as a justice of the peace ;

S. 16. An act to amend section 32 of chapter 65 of the revised statutes, granting to guardians and trustees power to assign mortgages and mortgage debts ;

S. 23. An act to amend section 32 of chapter 4 of the revised statutes, as amended by chapter 213 of the public laws of 1877, relating to elections ;

S. 24. An act to amend section 2 of chapter 106 of the revised statutes, relating to the lists and qualification of jurors ;

S. 40. An act to make valid the doings of the assessors of No. 6 plantation for the years 1876 and 1877 ;

H. R. 74. An act to authorize the sale of the Union Meeting-house at North Vassalboro' with furniture and fixtures therewith connected ;

H. R. 75. An act to make valid the doings of School District No. 18 in the town of Gorham ;

H. R. 76. An act to make legal the doings of the North and West Auburn Cheese Company in the city of Auburn;

H. R. 77. An act to change the name of Nancy S. Hubbard;

H. R. 78. An act to amend an act granting to Ransom B.

\*195 Abbott the right to establish and maintain \*a ferry between Sullivan and Hancock;

S. 5. Resolve in favor of the Joint Standing Committee on Education.

S. 6. Resolve in favor of the Joint Standing Committee on State Prison;

Which several bills were each passed to be enacted and the resolves 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.

On motion by Mr. STEVENS,

H. R. 19. Bill to abolish the August term of the Supreme Judicial Court in the county of Kennebec, was taken from the table, House amendment "A" was agreed to, and the bill, as amended, passed to be engrossed in concurrence.

On motion by Mr. HAYNES,

The rules were suspended and the vote was reconsidered whereby the Senate accepted the report of the Committee on the Judiciary, on bill (H. R. 8) to amend section 48, chapter 18 of the revised statutes, relating to highway taxes, that the same ought not to pass, and

*Ordered*, That the report be referred to the Committee on Ways and Bridges.

Sent down for concurrence.

On motion by Mr. MORRISON, at 20 minutes past 11 o'clock A. M.,

The Senate adjourned.

\* MONDAY, FEBRUARY 4, 1878. \*196

Senate met according to adjournment.

Prayer by Rev. Mr. THOMAS of Gardiner.

On motion by Mr. PRINCE,

*Ordered*, That the reading of the Journal of Friday be omitted.

Orders from the House :

That the Committee on the Judiciary inquire into the expediency of so amending section 16 of chapter 90 of the revised statutes, relating to mortgages on real estate, that the mortgagor shall have the right to pay into the clerk of courts the sums due, before the commencement of foreclosure as well as after, was read and passed in concurrence.

That the several Joint Standing Committees of the Legislature be directed to report finally on or before Friday, the 8th day of February, and that thereafter the House hold two sessions each day, the morning session to commence at nine o'clock, came from the House passed, and

On motion by Mr. BOARDMAN,

*Ordered*, That it lie on the table.

That the order of this Legislature relating to the non-reception [reception and reference] of petitions and orders, after January 22d, apply to bills and resolves, came from the House passed, \* and

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On motion by Mr. DAVIS of Penobscot,

*Ordered*, That it lie on the table.

Remonstrance of Reuben Richmond and others, against the petition of the selectmen of Byron for authority to control the waters of Swift river, was referred to the Committee on Interior Waters in concurrence.

Petition of Alfred Hull and others ;

Petition of Hugh F. Porter and others ;

Petition of G. N. Walton and others ;

Petition of Julia Carpenter and others,—severally for a board examiners for teachers ;

Remonstrance of L. N. Caldwell and others ;

Remonstrance of Albert N. Jones and others,—severally against legislation diverting the bank tax from the school fund to the general expenses of the State ;

Were referred to the Committee on Education in concurrence.

Petition of A. E. Ellis and others of Winslow ;

Petition of N. Meader and others of Waterville,—for legislation to prevent the throwing of certain refuse into the Kennebec river and its tributaries ;

Were referred to the Committee on Interior Waters in concurrence.

Remonstrance of A. G. Turney and others, against legislation prohibiting the killing of wild ducks between December 1st and September 15th, was referred to the Committee on Legal Affairs in concurrence.

Remonstrance of Newall Bagley and others ;

Remonstrance of A. N. Jones and others ;

Remonstrance of Frank I. Wilson and others ;

Remonstrance of C. O. Blaisdell and others ;

Remonstrance of Francis Loring and others ;

Remonstrance of H. H. Burbank and others ;

Remonstrance of W. E. Pinkham and others ;

Remonstrance of Matthew M. Woods and others ;

Remonstrance of Henry A. Bicknell and others ;

Remonstrance of Everett M. Dowe and others ;

Remonstrance of C. M. Daicy and others ;

\*198 Remonstrance of William T. Hobart \* and others ;

Remonstrance of Mrs. J. B. Stowell and others ;

Remonstrance of W. O. Day and others ;

Remonstrance of O. M. Freeman and others ;

Remonstrance of Orrin Woodbury and others ;

Remonstrance of C. O. N. Shaw and others ;

Remonstrance of J. W. Jacobs and others ;

Remonstrance of Andrew J. Chase and others ;

Remonstrance of T. P. McKusick and others ;

Remonstrance of W. G. Sargent and others ;

Remonstrance of a public meeting in Portland ;

Remonstrance of George H. Dority and others ;

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- Remonstrance of Simon Lunt and others ;
  - Remonstrance of Edwin Flye and others ;
  - Remonstrance of Mrs. A. B. Witherbee and others ;
  - Remonstrance of Joseph Atkinson and others ;
  - Remonstrance of Miss A. A. Eells and others ;
  - Remonstrance of A. T. Tuck and others ;
  - Remonstrance of Silas Andrews and others ;
  - Remonstrance of Daniel Bartlett and others ;
  - Remonstrance of P. F. Richmond and others ;
  - Remonstrance of Joseph B. Wheeler and others ;
  - Remonstrance of Isaac L. Linscott and others ;
  - Remonstrance of Thomas M. Stover and others ;
  - Remonstrance of Isaac Hacker and others ;
  - Remonstrance of L. M. Stetson and others ;
  - Remonstrance of R. A. Wentworth and others ;
  - Remonstrance of L. W. Starbird and others ;
  - Remonstrance of the Grand Division of the Sons of Temperance of Maine ;
  - Remonstrance of D. E. Merrill and others ;
  - Remonstrance of Jonathan Wight and others ;
  - Remonstrance of B. Harper and others ;
  - Remonstrance of W. M. Rand and others ;
  - Remonstrance of G. E. Jenkins and others ;
  - Remonstrance of Franklin Colson and others ;
  - Remonstrance of George Burns and others ;
  - Remonstrance of Mrs. James A. Hall and others ;
  - Remonstrance of Benjamin H. Dodge and others ;
  - Remonstrance of John S. Pierce and others ;
  - Remonstrance of Albert Knight and others ;
  - Remonstrance of Charles H. Vose and others,—severally against the proposed bill relating to the business of apothecaries ;
  - Petition of A. N. Jones and others, for increased penalties for intoxicated persons, for their arrest and confinement for certain purposes ;
  - Were severally referred to the Committee on Temperance in concurrence.

H. R. 97. Bill additional to chapter 200 of the public laws of 1877, entitled "an act additional to chapter 30 of the revised

\*199 statutes, relating to mischievous \*dogs," was referred to the Committee on Agriculture in concurrence.

H. R. 31. Resolve relating to military property, was referred to the Committee on Military Affairs in concurrence.

Report of the Committee on Claims, on the petition of Peter Murphy of Jackson Brook plantation for remuneration for aid furnished to Ellen Wescott of Woodstock, N. B., that the same be referred to the Governor and Council;

Report of the Committee on Towns, on the petition of John C. Burr and others for an amendment of chapter 136 of the special laws of 1872, relating to fences and the going at large of cattle in Isle au Haut, that the same be referred to the Committee on Legal Affairs;

Report of the Committee on Banks and Banking, on an order relating to so amending the savings bank act of 1877 as to prohibit loans on vessel property, that legislation thereon is inexpedient;

Report of the Committee on Claims, on the petition of selectmen and agent of Roxbury for reimbursement of State tax overpaid, that the petitioners have leave to withdraw;

Report of the Committee on Fisheries, on the petition of Frank Sanborn and others for amendment of the special laws relating to fish in East Machias river, that the petitioners have leave to withdraw;

Report of the Committee on Interior Waters, on the petition of L. F. Jones and others for repeal or modification of the act authorizing C. A. J. Farrar to navigate Richardson lake, that the petitioners have leave to withdraw;

\*200 Report of the same Committee, on the petition \* of Horace Cole for authority to navigate Pennessawassee pond in Norway, that the same be referred to the next Legislature with an order of notice;

Report of the Committee on Legal Affairs, on an order relating to allowing parties in civil suits to testify in all cases, that legislation thereon is inexpedient;

Report of the same Committee, on an order relating to the prompt recording of deeds of gift, or where the full consideration has not been paid, that legislation thereon is inexpedient;

Report of the Somerset County Delegation, on the petition of Isaac Dyer and others for an increase of the salary of the register of probate for Somerset county, that the petitioners have leave to withdraw ;

Report of the same Delegation, on the petition of F. B. Ward and others for an increase of the compensation of the county commissioners of Somerset county, that the petitioners have leave to withdraw ;

Report of the Committee on Towns, on the petition of Major Kelley and others for the annexation of Washington plantation to the town of Wilton, that the same be referred to the next Legislature ;

Report of the same Committee, on the petition of Henry Tilley and others for the incorporation of Castle Hill plantation as a town, that the same be referred to the next Legislature ;

Report of the Committee on Ways and Bridges, on the petition of Otis Fernald for an amendment of the law relating to ways, that the petitioner has leave to withdraw ;

Report of the same Committee, on bill (H. R. 83) to authorize the city of Bath and other several towns in the county of Sagadahoc to aid in the construction \* and maintenance of \*201 Merry meeting bridge, that the same ought not to pass ;

Were severally accepted in concurrence.

Report of the Committee on Change of Names, on the petition of Seth Webb, submitting a bill (H. R. 98) to change the names of Amelia and Adelia Bullock, was accepted in concurrence, the bill read once, and

On motion by Mr. PHILLIPS,

*Ordered*, That it lie on the table.

Report of the Committee on Agriculture, on the petition of N. E. Hall and others, submitting a bill (H. R. 99) to prevent the killing of deer in the county of Waldo ;

Report of the Committee on Fisheries, submitting a bill (H. R. 100) for the preservation of bass in the waters of Winnegance creek, and that the same ought to pass ;

Report of the same Committee, on an order, and the petition of Rawson Lufkin and others, submitting a bill (H. R. 101) to prohibit the taking of fish from Field's pond in the town of Orrington and from Brewer's pond in the towns of Orrington and Bucksport ;

Report of the same Committee, on the petition of Nathaniel Hobbs, submitting a bill (H. R. 102) to protect the breeding of trout in Perkins brook, so called, in the towns of North Berwick, Wells and Sanford, in the county of York ;

Report of the same Committee, on the petition of H. P. Colton and others, submitting a bill (H. R. 103) for the further protection and propagation of eels in Damariscotta river and pond ;

Report of the Committee on Railroads, on bill (H. R. 9) to \*202 revive, amend and extend the acts in relation to \* the Wiscasset and Quebec Railroad Company, the Messalonskee and Kennebec Railroad Company, and the Somerset Railroad Company, that the same ought to pass ;

Report of the Committee on Agriculture, on bill (H. R. 28) to prevent fraud in commercial fertilizers, that the same ought to pass ;

Report of the Committee on the Judiciary, on bill (H. R. 37) amendatory of an act to provide for the organization of business corporations, that the same ought to pass ;

Report of the Committee on Legal Affairs, on bill (H. R. 59) to amend section 11 of chapter 95 of the revised statutes, relating to actions of trespass, that the same ought to pass ;

Report of the same Committee, on bill (H. R. 63) to amend section 66 of chapter 82 of the revised statutes, relating to juries, that the same ought to pass ;

Were accepted in concurrence, the bills each read once, and to-morrow assigned for their second reading.

Report of the same Committee, on (H. R. 10) resolve in favor of Cyrus William King, that the same 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 Financial Affairs, on the petition of the selectmen of Haynesville, submitting (H. R. 32) resolve abating a portion of the State tax of Haynesville for the year 1877 and assessing the same on No. 3, range 2, Aroostook county ;

Report of the Committee on State Lands and State Roads, on an order, submitting (H. R. 33) resolve in favor of Baring \*203 and Houlton road across Indian \* township and Grand Lake stream road, in Washington county ;

Were accepted in concurrence, the resolves each read once, and to-morrow assigned for their second reading.

H. R. 104. Bill authorizing the Bates Manufacturing Company to reduce the par value of its stock and to issue new shares, submitted in the House, came up passed to be engrossed, and was read twice, the rules being suspended, and passed to be engrossed in concurrence.

A communication was received from Hon. S. J. Chadbourne, Secretary of State, transmitting the annual report of the Railroad Commissioners for the year 1877, which was read.

On motion by Mr. DAVIS of Cumberland,

*Ordered*, That the report be referred to the Committee on Railroads.

A message was received from the House of Representatives, by Mr. Parlin of North Anson, informing the Senate that in the absence of the Speaker, the House has elected Stephen J. Young of Brunswick as Speaker *pro tempore*.

The following printed bills:

S. 46. Bill for the protection of smelts in Bagaduce river and its tributaries, in the county of Hancock;

S. 53. Bill to amend section 10 of chapter 218 of the public laws of 1877, relating to savings banks;

S. 56. Bill to create a lien on hemlock bark;

S. 57. Bill to amend chapter 141 of the public acts of 1876, relating to the settlement of the public lands;

H. R. 49. Bill to encourage the development of the mining interests of the State;

Were each read once and to-morrow assigned \*for their \*204 second reading.

The following printed bill:

S. 39. Bill additional to chapter 49 of the revised statutes, relating to life insurance, was read once, and

On motion by Mr. BOARDMAN,

*Ordered*, That it be recommitted to the Committee on Mercantile Affairs and Insurance.

Sent down for concurrence.

S. 47. Bill to amend section 2 of chapter 267 of the public laws of 1873, was read once, and

On motion by Mr. MARTIN,

*Ordered*, That it be recommitted to the Committee on Indian Affairs.

Sent down for concurrence.

S. 48. Bill authorizing the location of a highway over the tide waters of Georges river in Thomaston, was read once, and

On motion by Mr. BOARDMAN,

*Ordered*, That it lie on the table.

S. 54. Bill to establish a State board of examiners of teachers of the public schools, was read once, and

On motion by Mr. DAVIS of Cumberland,

*Ordered*, That it lie on the table.

S. 55. Bill to prevent the throwing of slabs and other refuse into the Kennebec river and its tributaries, was read once, and

On motion by Mr. BOARDMAN,

*Ordered*, That it be recommitted to the Committee on Interior Waters.

Sent down for concurrence.

Mr. BARTLETT presented the remonstrance of R. M. Ingalls and others, against the bill relating to the business of \*205. apothecaries, which was referred to the \*Committee on Temperance.

Sent down for concurrence.

Mr. SUMNER presented a bill (S. 58) to incorporate the Machiasport and Machias Telegraph Company.

Mr. DAVIS of Penobscot presented a bill (S. 59) to provide stenographic reporters for the grand jury ;

Also a bill (S. 60) to amend section 41 of chapter 113 of the revised statutes, relating to arrests for taxes.

These bills were referred to the Committee on the Judiciary.

Sent down for concurrence.

Mr. PHILLIPS, from the Committee on Legal Affairs, on an order relating to so amending chapter 174 of the public laws of 1877 as to include guardians, reported that legislation thereon is inexpedient.

Mr. COBB, from the Committee on Temperance, on the petitions of the State Temperance Convention and others, for further repression of the liquor traffic, and for legislation to authorize the arrest and confinement of intoxicated persons, reported that the petitioners have leave to withdraw.

These reports were accepted.

Sent down for concurrence.

Mr. MORRISON, from the Committee on Legal Affairs, to whom was referred the bill (S. 2) to establish a municipal court in the town of Farmington, reported that the same ought to pass.

The report was accepted, and

On motion of Mr. MORRISON,

*Ordered*, That the bill lie on the table and be printed.

Mr. SUMNER, from the Committee on Military Affairs, \*to whom was referred the bill (S. 38) to facilitate the \*206 transfer to the United States of the title to the Antietam National Cemetery in the State of Maryland, reported that the same ought to pass.

Mr. HAYNES, from the Committee on Library, to whom was referred the petition of the Maine Historical Society, reported (S. 14) resolve in relation to the documentary history of the State of Maine.

These reports were 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 resolve :

H. R. 26. Resolve in favor of the Passamaquoddy Indians, which was read a second time and passed to be engrossed in concurrence.

The same Committee also reported the following resolves :

S. 9. Resolve authorizing the conveyance of certain lots of land in the east half of township No. 2, range 5, west from the east line of the State, in the county of Aroostook ;

S. 11. Resolve in favor of Elbridge D. Crouse ;

Which were each read a second time and passed to be engrossed.

Sent down for concurrence.

The same Committee also reported the following resolve :

H. R. 27. Resolve in aid of the towns of Blanchard and Shirley, which was read a second time and passed to be engrossed in concurrence.

Subsequently, on motion by Mr. ROGERS,

The foregoing vote was reconsidered, and

*Ordered*, That the resolve lie on the table.

\*207 \*The same Committee also reported the following resolve :

H. R. 13. Resolve in favor of George Cary, Theodore Cary and Jefferson Cary, which was read a second time, and

On motion by Mr. MARTIN,

*Ordered*, That it lie on the table.

The same Committee also reported the following resolve :

S. 13. Resolve in favor of the State Reform School, which was laid over to be printed.

On motion by Mr. LEARNED, at 35 minutes past 5 o'clock P. M.,

The Senate adjourned.

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TUESDAY, FEBRUARY 5, 1878.

Senate met according to adjournment.

Prayer by Rev. Mr. CORTES of Gardiner.

On motion by Mr. WOODWARD,

*Ordered*, That the reading of the Journal of yesterday be omitted.

Papers from the House :

Remonstrance of James F. Kimball and others, against legislation diverting the savings bank tax from the school fund ;

Remonstrance of Benjamin Robinson and others ;

\*208 Remonstrance \*of L. C. Whittier and others,—against a board of county supervisors of schools ;

Were referred to the Committee on Education in concurrence.

Remonstrance of C. C. Humphreys and others of Berwick, against the proposed amendment of the fishery laws, was referred to the Committee on Fisheries in concurrence.

Remonstrance of George Blake and others ;  
Remonstrance of Caroline C. Alley and others ;  
Remonstrance of A. H. Hutchinson and others ;  
Remonstrance of Thomas S. Bingham and others ;  
Remonstrance of John V. Warren and others ;  
Remonstrance of James Hussey and others ;  
Remonstrance of E. R. Goddard and others,—severally against  
the proposed bill relating to apothecaries ;  
Were referred to the Committee on Temperance in concurrence.

H. R. 105. Bill in relation to the testimony of persons accused,  
was referred to the Committee on the Judiciary in concurrence.

Report of the Committee on Interior Waters, on bill (H. R. 10)  
to prevent the throwing of edgings, sawdust and other refuse into  
the waters of the harbor of Wiscasset, that the same ought to  
pass, was accepted in concurrence, the bill read once, and to-mor-  
row assigned for its second reading.

Report of the Committee on the Judiciary, on bill (H. R. 36)  
to authorize reduction of capital stock of corporations, that the  
same ought to pass, was accepted, the bill read twice, the rules  
being suspended, and passed to be engrossed in concurrence.

Report of the Committee on Mercantile Affairs and Insurance,  
on bill (H. R. 53) to amend chapter 185 of the public laws of  
1877, relating to life insurance, with the same in a new draft and  
that it ought to pass ;

\* Report of the Committee on Financial Affairs, on an \*209  
order, submitting a bill (H. R. 106) to abolish the office of  
crier in the various courts ;

Report of the Committee on Fisheries, on the petition of George  
L. Hull and others, submitting a bill (H. R. 107) to amend sec-  
tion 50 of chapter 40 of the revised statutes, relating to migratory  
fishes in Damariscotta river ;

Report of the Committee on Legal Affairs, on the petition of  
the inhabitants of Limestone, submitting a bill (H. R. 108) to  
make valid the doings of the town of Limestone, in the county of  
Aroostook ;

Were accepted in concurrence, the bills each read once, and  
to-morrow assigned for their second reading.

Mr. HAYNES presented (S. 15) resolve in favor of the town of Deering, which was referred to the Committee on Library.

Sent down for concurrence.

Mr. BOARDMAN, from the Committee on Interior Waters, to whom was recommitted the bill (S. 55) to prevent the throwing of slabs and other refuse into the Kennebec river and its tributaries, reported the same in a new draft, and that it ought to pass.

The report was accepted and the bill laid over to be printed under the Joint Rule.

Mr. BRAGDON, from the Committee on State Prison, on an order and the report of said institution, reported in detail, submitting (S. 16) resolve in favor of the State Prison, and pending the acceptance of the report,

On motion by the same Senator,

\*210 \*Ordered, That the report lie on the table and be printed with the accompanying resolve.

Mr. MARTIN, from the Select Committee on Senatorial Votes for the Sixteenth Senatorial District, submitted the report of a minority of said Committee, as follows:

The undersigned, minority of the Select Committee on Senatorial Votes, to which was referred the remonstrance of Edmund Madigan against the right of Parker P. Burleigh to a seat in the Senate, finding themselves compelled to dissent from the views of the majority, ask leave to present the following report:

The whole number of votes for Senator in the Sixteenth Senatorial District, composed of the county of Aroostook, was four thousand six hundred and twenty-eight, (4,628.)

Edmund Madigan had two thousand three hundred and fifty-one . . . . .	2,351
Parker P. Burleigh had two thousand two hundred and seventy-seven . . . . .	2,277

And Edmund Madigan has a majority of seventy-four votes for Senator from said district . . . . .	74
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This was the vote of the entire Senatorial District, excepting Sheridan plantation, which was admitted to have cast a majority of eleven for Mr. Madigan, but as no official returns were before

the Committee, it was agreed on all hands to exclude its vote from the count.

This plurality of seventy-four for Mr. Madigan appearing upon the face of the returns from the remaining places, objection was made by Mr. Burleigh's counsel to the counting of the votes of Van Buren, Connor and Eagle Lake, for the following reasons: Van Buren, because the return of the list of voters required by section 75, chapter 4, revised statutes, was not attested on the inside by the assessors and clerk; Connor, because it had not made the spring return required by section 52, chapter 3, revised statutes; Eagle Lake, because the clerk had omitted to write his name on the inside of the return of votes for Senator. The return of the list of voters from Van Buren arrived at the office of the Secretary of State on the 14th of September last, as shown by the Secretary's official stamp thereon, with the other returns from said plantation. It was enclosed in an envelope furnished by the Secretary of State numbered 6, as was the list itself. Upon that envelope was the printed blank certificate of the Secretary of State, properly filled out and signed by the three assessors and the clerk, which certificate fully describes the enclosed list. The same form of certificate has been used for years, and was formerly printed upon the back of the return itself, instead of upon an envelope furnished by the Secretary of State, and was then used to attest the enclosed return, and is so intended to-day. The law requires but one attestation. We have no manner of doubt but that this was a sufficient attestation; and if we had, the benefit of the doubt must still be given in favor of the elective franchise.

Moreover, it appeared to the Committee, that for years most of the returns of the lists of voters had not even been opened, and to-day there may be found heaps of those returns with their seals unbroken, in the vaults of this State House. Inasmuch as this statute has been practically disregarded for years,—been a dead letter upon our statute books,—and election after election has been passed upon without reference to any such return, we are not prepared to invoke it at this late day to disfranchise an entire plantation, when its officers have evidently in good faith, and in our judgment *successfully*, attempted to obey it. No attempt has been made to impeach the facts stated in that return, and they stand to day unquestioned and unquestionable.

The omission in the case of Eagle Lake was of a similar character, except that it was in the return for Senator; and the omission was only on the part of the clerk, the assessors having signed the return inside and outside, and the signature of the clerk appearing upon the outside.

Duly attested copies of the record were also put in under chapter 212 of the public laws of 1877, which counsel for the contestant claimed the right to do, if the originals should be held defective. The objection to the vote of Connor plantation cannot be sustained upon any principle of law or of right, for several reasons: (1) because the statute under which it is claimed to reject its vote in *terms* is a direction to the Governor and Council acting ministerially, and not to the Senate or House acting judicially as the judge of the elections of their own members. And we do not understand that even were that statute intended to be binding upon the Senate or House, which it clearly was not, that it could have the effect of restricting either body in the exercise of their constitutional prerogatives as judges, having the right to give effect to the honest vote of every constitutionally qualified elector, cast in accordance with the constitution and the laws; (2) because such a return as is required by that statute is included in the return of the organization of Connor plantation made in April, 1877, to the office of the Secretary of State. That return is to-day upon the records in the office of the Secretary, and its existence was recognized by furnishing Connor plantation with blanks upon which to make its returns. Its legally qualified voters met and voted, and their votes were returned upon official blanks, and are here. How they voted is not questioned, nor attempted to be questioned. We see no cause for rejecting their vote.

It is a matter of history, and forms a part of the official records of the present session, that Van Buren and Connor plantations have had their votes counted for Representative to the Legislature upon an unanimous report, unanimously adopted. The precedent is none less valuable because it is recent, and based upon not similar, but the same facts here in controversy. The decision of the House of Representatives we believe to have been a legal and a righteous one, and no reason is alleged why we should overthrow or disregard it; but on the other hand, it appears to be

clearly sustained by the weight of authority and precedents. We can see no reason why the votes of Van Buren, Connor and Eagle Lake should not be counted. The counsel for the contestant in turn objected to the return of votes for Senator from Linneus, Blaine and Mars Hill, because the whole number of ballots was not stated in the returns as required by section 32, chapter 4 of the revised statutes; from New Sweden because the number of votes for each candidate was not "written out in words against his name" as required by sections 75 and 79, revised statutes, an objection founded upon the same statute as the one made to Van Buren, differing from it in this, that it is true in point of fact, while that to Van Buren is not. Objection was also made to the counting of the votes of Bancroft, Crystal, Mapleton, No. 11, range 1, Perham, Silver Ridge and Woodland, because it does not "appear by the returns of the organization duly signed and made to the office of the Secretary of State within the time required by law," that these plantations have been duly organized, in which event they have not acquired the right to vote, and their vote cannot be counted under section 77, chapter 4, revised statutes.

Your Committee do in fact find that the returns of the organizations of the several plantations in Aroostook county, organized prior to 1870, which includes almost all of the above named, are sadly defective. In 1870, the plantations of Van Buren, Hamlin, Cyr, St. John, St. Francis, Wallagrass and Eagle Lake had their organizations made legal and valid. In 1873, an act was passed legalizing the doings of the county commissioners of Aroostook county; but as this extends only to the issuing of warrants for the purposes of organization, we cannot perceive that such act can have any bearing or effect upon the returns of organizations required to be made by the municipal officers to the office of the Secretary of State. The plantations which have organized since 1870, made their returns upon printed blanks furnished by the county commissioners, and are substantially correct; but those which were objected to appear to us informal and defective, and yet we do not feel justified in deciding that their vote should not be counted. The votes of those places have heretofore been received, counted and allowed, as have been counted and allowed those of Van Buren, Eagle Lake and Connor. We cannot feel that it is necessary, in order to serve the purposes of any man, to

disfranchise upon simply technical grounds, any number of our fellow-citizens. No man is wronged by the counting and allowing of the votes of these places, and we think that wrong would be done by disallowing them. The rejection of votes upon technical grounds would result in the disfranchisement of nearly one-third of the votes of the county, and would not change the general result.

The contestant presented another objection for the consideration of the Committee, namely:—that even had Parker P. Burleigh received every vote in said Senatorial District, he was not *eligible* to said office of Senator, because he was not a resident of said district for three months next preceding the last September election, and that he has not since continued to be a resident therein, as required by section 6, article 4, part 2 of the Constitution of Maine. And in support of his objections, the contestant has proved the following facts, to wit:

That Parker P. Burleigh established his legal residence in Bangor in the summer of 1873, the time of his marriage to his present wife, by taking up his residence at No. 143 Ohio street in said city, where he has continuously lived with his wife up to the present time; and that with the exception of twenty-eight days passed by said Burleigh and wife in Aroostook county, in the year 1876, they have lived constantly in said city, inhabiting the same dwelling, and lived in the same manner, since the establishment of such residence in 1873.

It was admitted that said Burleigh had been a legal resident of Bangor from 1873 to May 23, 1876, exercising the right of suffrage on different occasions during this time; and although it appeared that he had not voted there since March, 1876, it did not appear that he had ever claimed the right to vote in said city since that time, or that such a claim if made could have been properly denied him.

It was claimed by said Burleigh, that on the 23d day of May, 1876, he ceased to be a legal resident of Bangor, and that he had taken up and established a new residence on said 23d of May, at Linneus in Aroostook county.

But the testimony in this case, as presented to the Committee, did not show that the said Burleigh had abandoned his residence in Bangor on the 23d day of May, 1876, but with the exception of

slight interruptions, he and his wife had continued to live and reside in said Bangor since May, 1876, as prior to that time.

And further, it did not appear that said Burleigh had, in fact, established his residence in Linneus in May, 1876; but even if he had, he at once abandoned it, and returned with his wife to Bangor on the 12th day of June, 1876, and to the same house in which he had lived from the time of his marriage, and where he now lives, in the same manner as heretofore.

The law, as the undersigned believe, is plain; that to change a residence once admitted to be established, it is incumbent upon the party setting up a new residence to show by proof that the original residence had been actually abandoned; secondly, it is also necessary to show that a new residence has been actually acquired and established, both by the intention to reside, and by the visible fact of residence.

From all the testimony in the case, fully considered, it did not appear that the said Burleigh had so abandoned his residence in the city of Bangor, neither did it appear that he had acquired and established a new residence in Linneus, in the county of Aroostook; but the whole testimony proved that his residence in every essential particular, and his mode of living, have continued the same since 1873.

It also appeared in evidence that the wife of said Burleigh had been the housekeeper at his place of abode in the year 1873, and that she has continued to the present time at the head of said household, at 143 Ohio street.

In view of all the facts which have been presented before the Committee, many of which we do not deem it necessary to detail, we are of the opinion, and so report, that the said Parker P. Burleigh, for three months next preceding the September election of 1877, was not, and during the time since said election has not been a legal resident of the Sixteenth Senatorial District, comprising the county of Aroostook, and that he is therefore *ineligible* to the office of Senator for said district, and therefore cannot be declared elected to said office.

The undersigned are therefore of the opinion, and so report, that Edmund Madigan was elected Senator for the Sixteenth Senatorial District at the last September election, by not only a plurality, but an absolute majority of seventy-four (74) of all the

legal votes cast for Senator in said district, and that Parker P. Burleigh was not elected to said office by a plurality of the legal votes of said district, and that even had he received such plurality, he was *ineligible* to said office, and that Edmund Madigan would be the only constitutional candidate.

And in pursuance of these views, we beg leave to present the accompanying resolves, which are herewith submitted.

(Signed)

JOSEPH H. MARTIN.

J. L. H. COBB.

WILLIAM ROGERS.

Resolves relating to the representation of the Sixteenth Senatorial District in the Senate:

*Resolved*, That Parker P. Burleigh is not entitled to a seat in the Senate.

*Resolved*, That Edmund Madigan is entitled to a seat in the Senate.

And on motion by Mr. MARTIN,

*Ordered*, That the report lie on the table and be printed.

Mr. PRINCE, from the Committee on Agriculture, on an order relating to mischievous dogs, presented the report of a minority of said Committee, submitting a bill (S. 61) to amend chapter 200 of the public laws of 1877, relating to mischievous dogs.

On motion by Mr. PRINCE,

The report of the majority of the Committee on Agriculture, submitting a bill (S. 49) to repeal chapter 200 of the public laws of 1877, entitled "an act additional to chapter 30 of the revised statutes, relating to mischievous dogs," was taken from the table.

Mr. PRINCE moved to amend the report of the majority by substituting therefor the report of the minority, and pending this question,

On motion by the same Senator,

*Ordered*, That the reports lie on the table and be printed with the accompanying bills.

On motion by Mr. NEALLEY,

\*211 The report of the Attorney General (Senate printed \* Doc. No. 21) upon claims of settlers under the treaty of Wash-

ington, was taken from the table and referred to the Committee on State Lands and State Roads.

Sent down for concurrence.

On motion by Mr. NEALLEY,

The rules were suspended and the vote was reconsidered whereby the Senate accepted the report of the Committee on Legal Affairs, on bill (S. 15) to incorporate the Bangor Board of Trade, that the same ought not to pass.

On motion by the same Senator,

*Ordered*, That the report be recommitted.

Sent down for concurrence.

The Committee on Bills in the Second Reading reported the following bill, specially assigned for consideration :

H. R. 96. Bill to incorporate the town of Hurricane Isle, which was read a second time.

House amendments " A " and " B " were agreed to, and on the question of passing the bill to be engrossed, as amended, it was determined in the affirmative, { Yeas..... 22  
Nays..... 3

On motion by Mr. MARTIN,

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

Those who voted in the affirmative are :

Messrs. Bailey, Bartlett, Boardman, Bragdon, Burleigh, Cobb, Davis of Penobscot, Drake, Ferguson, Grindle, Hassell, Haynes, Hobson, Learned, Morrison, Moulton, Nealley, Phillips, Prince, Rogers, Stevens, Sumner—22.

Those who voted in the negative are :

Messrs. Davis of Cumberland, Martin, Woodward—3.

\* So the bill passed to be engrossed in concurrence. \*212

The same Committee also reported the following bills :

S. 53. Bill to amend section 10 of chapter 218 of the public laws of 1877, relating to savings banks ;

H. R. 101. Bill to prohibit the taking of fish from Field's pond in the town of Orrington and from Brewer's pond in the towus of Orrington and Brewer ;

Which were each read a second time, and

On motion by Mr. NEALLEY,

*Ordered*, That they lie on the table.

The same Committee also reported the following bill :

H. R. 100. Bill for the preservation of bass in Winnegance creek, which was read a second time, and

On motion by Mr. PHILLIPS,

*Ordered*, That it lie on the table and be printed.

The same Committee also reported the following bills and resolves :

H. R. 9. Bill to revive, amend and extend the acts in relation to the Wiscasset and Quebec Railroad Company, the Messalonskee and Kennebec Railroad Company, and the Somerset Railroad Company ;

H. R. 28. Bill to prevent frauds in commercial fertilizers ;

H. R. 37. Bill amendatory of an act to provide for the organization of business corporations ;

H. R. 59. Bill to amend section 11 of chapter 95 of the revised statutes, relating to actions of trespass ;

H. R. 63. Bill to amend section 66 of chapter 82 of the revised statutes, relating to juries ;

H. R. 99. Bill to prevent the killing of deer in the county of Waldo ;

\*213 H. R. 102. Bill to protect the breeding of trout in \*Perkins brook, so called, in the towns of North Berwick, Wells and Sanford, in the county of York ;

H. R. 103. Bill for the further protection and propagation of eels in Damariscotta river and pond ;

H. R. 32. Resolve abating a portion of the State tax of Haynesville for the year 1877, and assessing the same on No. 3, range 2, Aroostook county ;

H. R. 33. Resolve in favor of Baring and Houlton road across Indian township and Grand Lake Stream road, in Washington county ;

Which were each read a second time and passed to be engrossed in concurrence.

The same Committee also reported the following bills :

H. R. 49. Bill to encourage the development of the mining interests of the State ;

S. 46. Bill for the protection of smelts in Bagaduce river and its tributaries, in the county of Hancock ;

S. 56. Bill to create a lien on hemlock bark ;

S. 57. Bill to amend chapter 141 of the public acts of 1876, relating to the settlement of the public lands;

Which were each read a second time and passed to be engrossed.

Sent down for concurrence.

On motion by Mr. BOARDMAN,

S. 48. Bill authorizing the location of a highway over the tide waters of Georges river in Thomaston, was taken from the table.

The bill was read twice, the rules being suspended, and passed to be engrossed.

Sent down for concurrence.

On motion by Mr. NEALLEY,

H. R. 27. Resolve in aid of the towns of Blanchard and Shirley, was taken from the table.

\*The question being on the passage of the resolve to be \*214 engrossed, Mr. BOARDMAN moved that it be indefinitely postponed, and upon this question it was determined in the negative,

tive, {	..... Yeas	6
	..... Nays	16

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. Boardman, Bragdon, Cobb, Grindle, Hobson and Learned—6.

Those who voted in the negative are :

Messrs. Bailey, Bartlett, Burleigh, Davis of Cumberland, Davis of Penobscot, Drake, Ferguson, Hassall, Haynes, Morrison, Moulton, Nealley, Phillips, Prince, Sumner and Woodward—16.

So the motion was disagreed to.

The question returning upon the passage of the resolve to be engrossed,

Mr. BRAGDON proposed an amendment marked "A," which was agreed to.

Mr. BARTLETT proposed an amendment marked "B," which was agreed to.

The resolve, as amended, passed to be engrossed.

Sent down for concurrence.

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

S. 25. An act additional to chapter 371 of the private and special laws of 1877, entitled "an act to repeal an act entitled an act to incorporate the town of Barnard ;"

S. 30. An act additional relating to the Portland and Deering Railroad Company ;

\*215 S. 32. An act to amend section 1 of chapter 223 of \*the public laws of 1871, relating to fares on railroads ;

S. 35. An act to amend chapter 218 of the public laws of 1877, relating to savings banks ;

S. 42. An act authorizing Frank Sawtelle to dredge bars, remove boulders, and navigate Snow pond by steam ;

H. R. 6. An act to amend chapter 76 of the revised statutes, relating to levy of executions upon estates held in joint tenancy or in common ;

H. R. 22. An act additional to chapter 68 of the revised statutes, relating to the appointment of trustees ;

H. R. 34. An act to amend chapter 192 of the public laws of the year 1877, providing for bridge guards on railroads ;

H. R. 38. An act to amend section 12 of chapter 133 of the public laws of 1873, relating to the jail system of the State ;

H. R. 43. An act relating to the Penobscot tribe of Indians ;

H. R. 64. An act to incorporate the Pythian Hall Association of Portland ;

H. R. 65. An act to authorize the Portland and Ogdensburg Railroad Company to issue preferred stock, and for other purposes ;

H. R. 87. An act to amend section 56 of chapter 38 of the revised statutes, relating to the weight of corn and grain, meal, vegetables and hair ;

S. 2. Resolve in favor of Lincoln E. Sprague ;

S. 3. Resolve for the purchase of the Maine State Year Book and Legislative Manual ;

S. 4. Resolve relating to temperance ;

S. 10. Resolve in favor of the Joint Standing Committee on Reform School ;

\*216 H. R. 23. Resolve in favor of the Joint Standing \*Committee on Military Affairs ;

S. 7. An act to amend chapter 346 of the special laws of 1877, entitled "an act to promote the efficiency of the police force of the city of Portland ;"

S. 21. An act in relation to disorganized towns ;

H. R. 19. An act to abolish the August term of the Supreme Judicial Court in the county of Kennebec ;

H. R. 20. An act to facilitate the prompt administration of justice by establishing a Superior Court in the county of Kennebec ;

H. R. 91. An act to amend chapter 75 of the special laws of 1866, entitled "an act creating the South Paris Village Corporation ;"

H. R. 92. An act to confirm and make valid the doings of Union School District, composed of District No. 1 in the town of Carthage, District No. 19 in the town of Wilton, in the county of Franklin, and District No. 12 in the town of Dixfield, in the county of Oxford ;

H. R. 93. An act additional to an act to establish the Atlantic and St. Lawrence Railroad Company ;

H. R. 94. An act granting the towns surrounding Toddy pond, in Hancock county, the right to build and maintain a bridge across said pond ;

H. R. 5. Resolve relating to the purchase of Maine Reports ;

H. R. 22. Resolve in favor of William Conary ;

H. R. 30. Resolve in favor of Joseph M. Soccalexis ;

H. R. 24. Resolve to transfer certain records pertaining to the soldiers of the war of 1861 from the office of the Secretary of State to that of the Adjutant General ;

Which several bills were each passed to be enacted and the resolves finally passed in concurrence.

\*And these several bills and resolves, having been signed \*217 by the President, were by the Secretary presented to the Governor for his approval.

On motion by Mr. GRINDLE, at 7 minutes before 1 o'clock P. M.,

The Senate adjourned.

WEDNESDAY, FEBRUARY 6, 1878.

Senate met according to adjournment.

Prayer by Rev. Mr. Ecob of Augusta.

On motion by Mr. NEALLEY.

*Ordered*, That the reading of the Journal of yesterday be omitted.

Order from the House :

That the Committee on Legal Affairs are requested to inquire into the expediency of abolishing the office of Insurance Commissioner, and transferring the duties of that office to the State Treasurer and Secretary of State, came up passed, and

On motion by Mr. NEALLEY,

*Resolved*, That it be indefinitely postponed.

Sent down for concurrence.

Remonstrance of Albert Leavitt and others, against the proposed bill relating to the throwing of refuse into the Kennebec river, was referred to the \*Committee on Interior Waters in concurrence.

Remonstrance of E. G. Cole and others ;

Remonstrance of Sidney Wakely and others ;

Remonstrance of Elizabeth H. Perry and others ;

Remonstrance of O. M. Moore and others ;

Remonstrance of Mary A. Blabon and others ;

Remonstrance of E. N. Smith and others ;

Remonstrance of Mrs. L. E. Melcher and others ;

Remonstrance of Jara Jewett and others ;

Remonstrance of M. M. Smart and others ;

Remonstrance of Charles Ripley and others,—severally against the proposed bill relating to the business of apothecaries ;

Were referred to the Committee on Temperance in concurrence.

Report of the Committee on Interior Waters, on the petition of the selectmen of Byron for authority to control the waters of Swift river, that the petitioners have leave to withdraw, was accepted in concurrence.

Report of the Committee on Ways and Bridges, on bill (H. R. 17) to vest the franchise and property of the proprietors of Merry-meeting bridge in the inhabitants of the county of Sagadahoc, with the same in a new draft and that it ought to pass ;

Report of the Committee on the Judiciary, on bill (H. R. 32) relating to coroners, that the same ought to pass ;

Report of the same Committee, on bill (S. 27) to amend section 26 of chapter 91 of the revised statutes, relating to lien claims on slate, with the same in a new draft, under title of an act to amend section 26 of chapter 90 of the public laws of 1876, in relation to lime rock and slate, and that the same ought to pass ;

Report of the Committee on Legal Affairs, on bill (H. R. 60) to amend section 5 of chapter 60 of the revised statutes, relating to actions of divorce, that the same ought to pass ;

Report of the Committee on Fisheries, on the \*petition \*219 of R. J. Lyford and others, submitting a bill (H. R. 109) to prohibit the taking of fish from Withee's pond and tributaries in the town of Dover ;

Report of the Committee on Interior Waters, submitting a bill (H. R. 110) relating to building and maintaining the lock in the dam across the Kennebec river at Augusta ;

Report of the same Committee, on the petition of J. C. McIntire and others, submitting a bill (H. R. 111) to incorporate the St. Croix Lake Dam Company ;

Report of the Committee on the Judiciary, on an order, submitting a bill (H. R. 112) to amend section 12 of chapter 122 of the revised statutes, relating to corrupt agreements by attorneys and others ;

Report of the same Committee, submitting a bill (H. R. 113) in relation to the duties of county attorneys, and additional to chapter 79 of the revised statutes ;

Report of the Committee on Towns, on the petition of Mark G. Walker and others, submitting a bill (H. R. 114) to abolish the organization of plantation No. 6, in the county of Franklin ;

Report of the Committee on Ways and Bridges, on the petition of B. L. Eaton and others, submitting a bill (H. R. 115) to amend chapter 19, section 10, of the revised statutes, relating to the law of roads ;

Were severally accepted in concurrence, the bills each read once, and to-morrow assigned for their second reading.

Report of the Committee on Agriculture, on the petition of John D. Lawler and others, submitting a bill (H. R. 116) to establish a bounty on bears, was accepted, the bill read once and indefinitely postponed in concurrence.

\*220 \*Report of the Committee on Towns, on the petition of Sidney M. Bird and others for the division of the city of Rockland and the incorporation of the Seventh Ward as a town, that the Committee are unable to agree, three being in favor of submitting the accompanying bill (H. R. 117) to incorporate the town of West Rockland, and three being in favor of reporting that the petitioners have leave to withdraw, was indefinitely postponed in concurrence.

The following printed bills and resolves :

S. 2. Bill to establish a municipal court in the town of Farmington ;

S. 38. Bill to facilitate the transfer to the United States of the title to the Antietam National Cemetery, in the State of Maryland ;

S. 14. Resolve in relation to the documentary history of the State of Maine ;

S. 13. Resolve in favor of the State Reform School ;

Were each read once and to-morrow assigned for their second reading.

Mr. HAYNES, from the Select Committee on Senatorial Votes for the Sixteenth District, submitted the following report :

The Special Committee of the Senate, appointed to investigate all matters presented by the remonstrance of Edmund Madigan against the right of Parker P. Burleigh to hold a seat as Senator from the Sixteenth Senatorial District, and all matters affecting the right of either of said parties to a seat at this board, have carefully examined and considered the same, and beg leave to submit this report :

At the time appointed by the Constitution for the assembling of the present Legislature, the situation of the Sixteenth Senatorial District with respect to its representative at this board, was peculiar, and in some of its aspects without precedent in the history

of the State. No summons had been issued to any person by the Governor and Council to attend that day and take his seat as Senator from said district; but the certified roll of members elect made to the Secretary of the preceding Senate by the Secretary of State, pursuant to section 21 of chapter 2 of the revised statutes, did not contain, and was not accompanied by any report of a vacancy in said district, but did contain the following certificate in relation to said district, to wit:

By a report of the Governor and Council, under date of December 8th, A. D. 1877, Parker P. Burleigh of Linneus was declared to have received the greatest number of votes for Senator in the Sixteenth Senatorial District, Aroostook county, but the issue of a summons for him to appear and take his seat was not authorized.

This certificate comprised all that is required by the Constitution to entitle a Senator elect to a seat in this Senate, in the first instance, and was based upon the finding of the Governor and Council. In the early part of this session the Committee on Senatorial Votes made a report with reference to the election of Senator in said district, maintaining the finding of the Governor and Council, and the certificate of the Secretary of State made in pursuance thereof; and Parker P. Burleigh was thereupon declared by the Senate *prima facie* entitled to a seat as Senator from said district, and having taken the necessary oath, forthwith entered upon the discharge of his duties. Thereupon Edmund Madigan presented the following remonstrance:

*To the Honorable Senate of Maine,  
now in session at Augusta, Maine:*

The undersigned respectfully represents that at the last September election he was duly elected Senator for the Sixteenth Senatorial District by a plurality of all the votes cast for said office in said district. That the vote stood as follows, viz: For Edmund Madigan, two thousand three hundred twenty-four, for Parker P. Burleigh, two thousand two hundred twenty, leaving a plurality in favor of said Madigan of one hundred and four, (104.)

And said Madigan further says, that if technical objections and defects are to prevail in opposition to the expressed will of the majority, that several of the towns and plantations in said county should have their vote rejected, on account of informalities in

their returns and defects in their organization, by reason of which they had not on the tenth day of September last acquired the right to vote and have their votes counted, whereby his majority over said Burleigh could be greatly increased; and said Madigan further says, that said Burleigh was not for the three months next preceding the time of said election a resident of said Sixteenth Senatorial District, and has not since been, and is not now a resident thereof, by reason whereof said Burleigh was at that time and still is ineligible to the said office of Senator for said district, so that no votes can be counted and allowed for said Burleigh for said office in any event, and so said Madigan in the event of a vacancy is the only constitutional candidate for said office, as none but he and said Burleigh have been voted for, therefore said Madigan comes and asks your honorable body to seat him as one of its members.

EDMUND MADIGAN.

Augusta, January 1, 1878.

First. The first question presented for the determination of your Committee was, who received a plurality of all the votes of which the Senate can constitutionally and legally take cognizance?

The return from the several towns and plantations in said district made in compliance with the constitution and laws in such cases provided, show the vote for Senator to be as follows:

For Parker P. Burleigh .....	2,256
For Edmund Madigan .....	2,183

Majority for Parker P. Burleigh .....	73
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The returns from the two remaining plantations of Van Buren and Eagle Lake show a majority in those two plantations of 130 votes for Edmund Madigan, and if counted, would give the contestant a plurality of 57 votes in the total vote of the district.

The Constitution provides, article 4, part third, section 3, that each house shall be the judge of the election and qualifications of its own members. This gives the Senate complete jurisdiction over all questions that may arise in cases like the present.

The Constitution and laws make certain provisions for the management and regulation of elections. The question as to what provisions of the Constitution and laws are mandatory, and what directory, have sometimes caused conflicting opinions.

The case of Noyes vs. Haynes, in 1838, when the House rejected all ballots with red lines marked upon them, was overruled in 1868. See Senate Doc. No. 5, of that year where the Committee on Senatorial Votes counted such ballots under the provisions of the last part of section 29, chapter 4, revised statutes, that no vote should be rejected on this account after it is received into the ballot box. We think the opinion then expressed correct. Said section 29 provides that certain votes shall not be received, then adds that if received into the ballot-box they shall be counted. This section is clearly directory, and illustrates the difference between a mandatory and a directory statute.

Section 73, chapter 4, revised statutes, provides that the assessors of plantations shall prepare a list of such inhabitants as they deem qualified to vote, and post it up, and section 75, chapter 4, provides that such assessors shall receive the votes of all qualified voters, and declare them in open plantation meeting, in presence of the clerk, who shall form a list of the persons voted for, and make a record in open plantation meeting. In addition to this, said section 75 provides that the clerk shall make out fair copies of the lists of voters so posted up, and of the names of all voters on said list who were actually present and voted at said election, which shall be attested by the assessors and the clerk in open plantation meeting, and the copy of the list of votes and the names of the persons actually present and voting at the election, to be transmitted to the Secretary of State, with the record of votes thereof.

This is a plain command, with no provision to evade it, like that contained in section 29, before cited. A section complete in itself, that cannot be misunderstood. Then to make this section, (section 75) entirely free from doubt, and mandatory in its provisions, section 77, chapter 4, provides that unless the provisions of section 75 have been fully complied with, the votes of such plantation shall be rejected and not counted for any of said officers. That plantations may have no excuse, section 77 provides that the Secretary of State shall furnish the clerks of such plantations suitable blanks for all necessary purposes.

The vote of the plantation of Van Buren was rejected, and not counted, because the copy of the list of votes and of the names of all voters on said list who were actually present and voted at said

election was not attested by the assessors and clerk, as required by said sections 75 and 77.

It was suggested to the Committee that chapter 212 of the public laws of 1877 would apply to the case of Van Buren, and that an attested copy of the list of voters might be substituted under that provision of the section that allows such copy when a return is defective by means of an informality.

This chapter (212) cannot apply to the present case even if it can apply to section 75, chapter 4, revised statutes.

The paper that came from Van Buren was not informal, it was an utter failure to comply with law. Informality is want of form. The paper that came from Van Buren is not attested at all; it is as if no attempt had been made to return a copy of the list of voters. It is not a case where a copy to cure an informality will do; a new and original paper would be required, signed for the first time by the assessors and clerk. If they have a right long after the election to sign and send in to the proper authorities a copy of the list of voters, they would have the same right in regard to the return of votes, and thus might make up all the returns of an election, not in open plantation meeting, but at some other time and place after the election. But it was urged that the envelope that contained the papers from Van Buren had the names of the assessors and clerk upon it, which show that the intention was right, and that putting their names on the envelope was a substantial compliance with the law.

Neither the Constitution nor the laws require that the envelope shall have the names of the assessors and the clerk upon it; neither is it required that the envelope shall be directed in open plantation meeting, to the Secretary of State,—only that it must be sealed up in open plantation meeting; it may be directed after the meeting. Men might dare to put their names upon an envelope to certain printed statements which the law has nothing to do with, when they would not dare, under oath, to sign an official document. But the law requires them to sign, and punishes them severely if they sign falsely. Most assuredly might this be the case if they knew the pretended returns were false, and feared a contest which might show fraud to hold them criminally.

Section 3, article 4, part second of the Constitution, provides that fair copies of the list of votes shall be attested by the asses-

sors and clerks of plantations, and sealed up in open plantation meeting. In the case of the plantation of Eagle Lake, the list was not attested by the plantation clerk, therefore the vote of this plantation was rejected and not counted, clearly on a mandatory provision of the Constitution. The next question presented is, can or should the vote of a plantation be thrown out because its officers have not performed their duties?

Among the many cases bearing upon this point the following are cited:

Manchester vs. Somes, House Doc. No. 15, 1833, the vote of the town of Cranberry Isle was thrown out because the clerk did not attend the town meeting, but appointed a clerk to act for him, who was present at said meeting and did the business of the meeting correctly.

In the case of Farley vs. Cilley, House Doc. No. 14, 1833, the vote of the town of Thomaston was rejected because the selectmen did not regularly adjourn the meeting at which there was no election, to the meeting at which the election of Mr. Cilley was claimed.

In the case of Chase vs. Cunningham, House Doc. No. 5, 1838, the vote of the town of Westport was rejected because the town meeting was not legally warned.

See also House Doc. No. 36, 1837, when the vote of Ward one, composed of islands, a part of the city of Portland, was rejected. Here the return of the list of voters was not signed by the warden, a similar case to that of Van Buren.

In 1854, see House Doc. No. 1, the vote of Machiasport was thrown out because the town meeting adjourned near its close to a post office for the purpose of finishing up its business.

In 1872, see Senate Doc. No. 9, the whole vote of the city of Ellsworth was rejected because of the failure of the proper city officers to perform their duties.

In all the cases cited there was no question as to the popular will as determined by the number of votes cast. There was no proof or even suggestion of fraud, nor any evidence that the result would have been different if the election had been held according to law; but on the contrary, the Committee in several instances expressed it as their opinion that the result would have been the same as to the number of votes, though in most

cases these decisions did change the results as to candidates elected.

The votes in all cases cited were rejected because of a non-compliance with the Constitution and mandatory provisions of law.

The design of a representative government is not merely that the people should express their will at the polls, but that that will should be legally and constitutionally expressed. (Opinion of Justices, 6 Me., 491.)

But it was contended by the remonstrant that the votes from the following plantations, to wit: Mapleton, Crystal, Silver Ridge, Woodland, No. 11, range 1, and Bancroft, should be rejected and not counted, because of alleged defects in records of their organization.

The existing provisions of law with reference to the organizations of plantations, are found in chapter 3 of the revised statutes, from section 46 to 52, inclusive; and section 77 of chapter 4, revised statutes, provides that it must appear by the return of the organization made to the office of the Secretary of State, that the plantations have been duly organized. These provisions were incorporated into the revised statutes from chapter 121 of the public laws of 1870.

Now it is claimed that the vote of Mapleton must be rejected, because it does not appear from the record of its organization that the assessors were sworn, or that the persons petitioning for the warrant of the county commissioners to organize the plantation were legal voters. But Mapleton was organized June 30, 1859; and section 71 of chapter 4 of the revised statutes of 1857, in force at that date, only required the assessors, after the organization of a plantation, to "forthwith make a written description of the limits of such plantation, sign it, and transmit to the Secretary of State to be by him recorded." Section 77 of the same chapter, in force at that date, required that this return should show that section 71 had been complied with, and the return was only required to show "a written description of the limits." Chapter 106 of the laws of 1859 was not amendatory of section 71 of chapter 4, revised statutes of 1857, and there was no requirement in 1859 that the vote of a plantation must be rejected because all the proceedings had in its organization were not returned

to the Secretary of State. But an examination of the copy of the record of the organization of this plantation, now on file in the Secretary's office, sufficiently shows that the officers were sworn. Besides, chapter 166 of the resolves of 1873 legalized all the doings of the county commissioners in organizing plantations in Aroostook county. This meets the objection that the petitioners do not appear to be legal voters. The objection to Mapleton, therefore, cannot be sustained.

The same objections were made to Woodland and Silver Ridge, which were organized April 25, 1861, and July 20, 1862, respectively, and for the same legal reasons the objections cannot be sustained.

Objection is made to the vote of Crystal plantation, because it is alleged that its organization was annulled by the act of 1859 restricting plantations to one township. Crystal was organized October 19, 1840, and originally comprised two townships. But in 1848 one of the townships was taken off and organized as Dayton plantation, now the town of Hersey. Hence the organization of Crystal was in no way affected by the act of 1859. The objection to this vote is therefore untenable.

Objection is also made to the vote of Bancroft, No. 11, range 1, and Silver Ridge, because the return does not show a sufficient "written descriptions of the limits of the plantations." An examination of the records of the organization of those plantations, in comparison with those of the other plantations in Aroostook county, discloses the fact that the objection applies with equal force to all the other plantations in that county, except Pleasant Ridge, Perham, Reed, Oakfield, Westfield, Woodland and Mapleton. It is true that in 1870 a resolve was passed legalizing the organization of Cyr, Hamlin, Van Buren, St John, St. Francis, Wallagrass and Eagle Lake; but it will be seen that all the plantations named in that resolve, except Van Buren and Hamlin, have reorganized since the passage of that resolve, and still have failed to give any written description of the limits.

Thus upon examination, your Committee find that a rigid and impartial enforcement of the doctrine invoked by the contestant with respect to defective organizations, would result in enlarging the plurality for Parker P. Burleigh by four hundred and fifty-one votes. But after a careful consideration your Committee arrived

at the conclusion upon this point, that the records of the organizations are in substantial compliance with the laws existing at the time they were effected, and that it would not be just to the contestant himself to enforce the objections which he has here raised.

The most important inquiry connected with the organization of plantations is, whether there has been compliance with section 52 of chapter 3, revised statutes, requiring an annual return, this being the test which determines the legality of the meeting at which the vote returned is cast; and this objection is not raised by the contestant in any case.

It was further objected, however, by the contestant, that the returns from Blaine, Linneus, Littleton and Mars Hill, should be rejected, because the whole number of ballots was not stated, and from New Sweden plantation because the number of votes was not written out in words.

The returns from the places above named, aside from the "irregularities" on account of which objections was made, seemed to have been perfect; and if those irregularities were fatal, which your Committee do not concede, the returns would then be defective by reason of such "informalities" as are referred to in chapter 212 of laws of 1877, hereinbefore cited, and would be clearly amenable by force of its provisions. It was in evidence by consent of the parties, that certified copies were produced before the Governor and Council in all the cases last named, and also in case of Macwahoc, and made a part of the returns, and that they were to be regarded as before the Committee, and received if legally admissible for the purpose named. Your Committee are of the opinion that they were admissible, and that they would legally operate to cure any defects that may have existed by reason of such "informalities" as those referred to. Under this view the vote of Macwahoc, as well as that of Ashland, was allowed and counted for the contestant.

The difference between the returns from these places, which were attested by all the proper officers, and the paper that comes in from Van Buren, is apparent. The former are attested returns; the latter a paper attested and signed by nobody. The former are returns that may have "informalities" which copies might cure; the latter is a blank, and the only cure is not to amend, but to

make a new one—in a word, to do all that now which the law says shall be done only in open plantation meeting. Furthermore, the act of 1877, before-named, manifestly applies only to the returns of votes, and not to the check-list or list of voters actually present and voting.

A question of much importance to both parties was the admissibility of certain affidavits as evidence that eighty aliens voted at the last election in the Madawaska region. These affidavits were offered by Mr. Burleigh, and after some hesitation were received by the Committee *De bonne esse*. Other affidavits upon other points were also received in the same way, but at the close of the hearing it was the unanimous opinion of the Committee that they were not proper evidence, and were all thrown out of the case as being too uncertain in their character to be used in determining rights so important.

In reviewing the precedents in the State, the kind of evidence admitted before committees in such cases cannot, in most instances, be ascertained. Committees state results, not the kind of evidence by which they came to conclusions. That affidavits have been used to a limited extent in this State in contested election cases, there can be no doubt, as clearly appears by House Doc. No. 15, 1833, Manchester vs. Somes. See also House Doc. No. 12, 1856, and Senate Doc. No. 5, 1868; while the practice in New York seems to be to admit affidavits in nearly all cases, still your Committee are of the opinion such a practice is not sanctioned by the laws of this State, and might result in grave wrong if allowed to prevail.

A comparison of the copies of lists of voters in the Madawaska plantations with the census returns and the records of naturalization in Aroostook county, would seem to show that one hundred and eighty-six persons foreign born and not naturalized voted at the last election, which corroborates the statements contained in the affidavits; but this question, so vital to the contestant, as well as to a large number of his constituents, was not acted upon by your Committee, the evidence, as before stated, not being sufficient.

But your Committee have reached the conclusion, that under the constitution and laws of the State, which, as sworn judges they are not likely to disregard, and in accordance with the best

considered election cases found among our legislative precedents, the most important of which are heretofore cited, Parker P. Burleigh received a plurality of seventy-three votes, of all those cast for Senator in said district, of which the Senate can properly and rightfully take cognizance.

But it is contended by the remonstrant that if Parker P. Burleigh received a plurality of all the legal votes, that he was not eligible to the office, for the alleged reason that he was not a legal resident of the Sixteenth Senatorial District at the time he was chosen, or for the three months preceding.

It was in evidence before the Committee, by the testimony of P. P. Burleigh under oath, that he went to Linneus in Aroostook county, on the 17th day of May, 1830; that from the incorporation of the town of Linneus in 1836 down to the year 1873, he was a legal resident of that town, and voted there every year; that during that time and at the present time he owns the homestead farm in that town; that in 1873, while holding the office of Land Agent, which at that time required his personal presence in Augusta and Bangor, he decided to make Bangor his temporary place of residence during such term as the duties of Land Agent required; that on the 23d of May, 1876, within five days of the termination of his term of office as Land Agent, in accordance with his original intention, which he had never abandoned, he returned with his wife to his home in Linneus, fully intending then as now to make that his home during the remainder of his life, and took up his residence at the homestead in the family of the lessee, as provided by the terms of the lease previously made, and remained attending to his orchard and garden, as reserved in said lease, until the 12th of June, when he left temporarily, accompanied by his wife, to visit the Centennial at Philadelphia. After visiting Philadelphia and other places, he returned to Linneus in the latter part of August, whither his wife followed him on the 5th day of September, she having tarried a few days in Bangor at the home of her father. On the 14th of the same month she returned to Bangor, in response to a telegram announcing the dangerous illness of her father, and earnestly requesting her presence. In the meantime occurred the annual election, at which he was chosen a Senator to represent that district; that at a meeting of the selectmen of Linneus, all of whom were democrats, held on

the day of the election, for the purpose of determining who might be legal voters, he voluntarily made a statement of facts as to his residence, and upon such statement the selectmen unanimously determined that he was a legal resident of Linneus, and entitled to vote, and accordingly he did vote. He remained in Linneus till December 13th, when he left to take his seat in the Senate, his wife having been detained in the meantime in Bangor by the critical illness of her father.

On the 12th of March, 1877, after the adjournment of the Legislature, he returned to Linneus, and was occupied in making arrangements for carrying on the farm, having purchased soil for that purpose and having plowed fourteen acres of land the fall before. In the meantime occurred the annual March election, at which he was present and voted, no objection being made.

In the latter part of March, while engaged on his farm, he unexpectedly found it necessary to go to Bangor to give his personal attention to an important equity suit involving the earnings of his lifetime; that his absence from Linneus at any and all times since May 23, 1876, has been for a temporary purpose, and that he has been during that time a resident of Linneus, and has paid his poll and other taxes in accordance with his intention to there reside and bear his burden of municipal duties; that he has never owned a house in Bangor, and has never kept house there, and has only hired and used the furniture of a chamber as a measure of convenience in boarding at the house of his wife's father; that he has no regular and established business in Bangor.

The above statements under oath are corroborated in material points and important particulars by the statements, under oath, of Mrs. Burleigh, the Hon. A. W. Paine and the Hon. Charles Buffum.

The above statements of intention made by Mr. Burleigh are not impeached or contradicted by any testimony offered by the contestant; on the contrary, the habitual custom of Mr. Burleigh of registering while travelling as being a resident of Linneus, together with his uniform practice of declaring Linneus to be his home, would seem to establish his intention beyond a doubt.

The above facts as to his mode of life since May 23, 1876, are substantially agreed to by the contestant; but the contestant claims that all these do not constitute legal residence as defined

by the decisions of the courts in such cases, and cites several decisions in support of his theory, to wit :

61st Maine, page 460. This case in no way supports the position of the contestant as to Mr. Burleigh's residence; on the contrary, it would seem to settle the question definitely, as to the position taken by Mr. Burleigh. The plaintiff in the case claimed that he was not liable to be taxed in Bangor on the 1st day of April, because he had left Bangor on the 30th of March to take up his residence in New York. Like Mrs. Burleigh, he had been boarding in Bangor, but on leaving his wife did not accompany him, but remained at her boarding place, occupying the same rooms, and living in the same way after the 30th of March as before, and using the same furniture, which also in part belonged to the plaintiff. It appeared that his wife never went to New York to live, nor did plaintiff himself finally settle in New York, as had been his intention. The Court instructed the jury that if they found the plaintiff was actually present in New York on the 1st of April, with the intention of remaining and living there, as testified by the plaintiff, no matter under what circumstances, or how long it might be shown the plaintiff's wife remained in Bangor after April 1st, the plaintiff was not legally taxable as an inhabitant of Bangor. The Court held that the acts and intentions of the wife do not affect the domicil of the husband. In 12 Gray, page 22, also cited, it appeared that one Bradlee had on the 1st day of May leased a house in Brookline, and made arrangements to reside there with his wife when he should be married. He did not occupy the house in B. till some time after. Was not married till after that time, and after his marriage went on a wedding tour. He was married on the 9th of May in Roxbury, and remained in R. up to the time of his marriage. On the question of residence in Roxbury vs. Brookline, the Court held that his intention and the arrangements he had made to reside in B. made him a resident of B., and that his absence being only temporary did not affect his residence in B.

In *Sears vs. Boston*, 1st Metcalf, page 250, David Sears went abroad with the intention of remaining for an indefinite period of time. He leased his dwelling house in Boston and hired one in Paris. At the time of his departure he intended to return, and although he was absent with his family nearly two years, the

Court held that he continued during the term of his absence to be an inhabitant of Boston. In delivering the opinion of the Court, Chief Justice Shaw said: "Had he returned to Boston a few days before an election, we think he would have had a right to attend and vote."

In 5th Pickering, also cited by contestant, the Court refers to the case of *Makepeace vs. Lee*, as being in accordance with the decisions. Lee had been an inhabitant of Cambridge, but before the first day of May he went to Newton, and boarded with a tenant of his, and informed the selectmen that he had come there to live. In fact, he returned to Cambridge in August and took possession of his house there. Although, say the Court, there is much in this case that looks like evasion and a pretended change of domicil to avoid taxes, it agrees with the principle that an actual removal into a town with the intention to become an inhabitant, made him one. But the contested election case of *White vs. Robinson*, in Massachusetts, 1848, (see contested election cases, page 571) is more directly in point. It appeared that Robinson, in April, went to Boston and took possession of a public house, of which he had a lease, and placed his sign over the door as an inn-keeper; that his wife and daughter followed him and helped him in keeping the house; that the house and farm in Petersham, from which place he went, were occupied by his son. In the month of June he declared himself a citizen of Petersham, in a letter to his son. He also spoke of P. as his residence, and was taxed there. He was returned to the Massachusetts Legislature, and his seat was contested on the grounds of ineligibility. The committee reported unanimously that the absence of Robinson from Petersham was for a temporary purpose only, with no intention of changing his domicil.

In the case of *Averill vs. Holman*, Massachusetts contested election cases, page 647, in Massachusetts, 1852, Holman's election being controverted on the ground that he was not a citizen of Boston, he having built a house in Newton, in which his family resided, it was in evidence that he had declared his intention of continuing to be an inhabitant of Boston, and that he was taxed on his personal property in Boston, and paid such tax. The committee found that the intention was conclusive, and the report of the committee was accepted.

From the testimony in the present case, the Committee find that since May 23, 1876, Parker P. Burleigh has been, and still continues to be, a legal resident of Linneus, and this opinion is further strengthened by decisions cited by the contestant, as well as from such other cases as your Committee have examined.

In conclusion, upon the facts in the case, your Committee report that Parker P. Burleigh is duly elected Senator in the Sixteenth Senatorial District, according to the requirements of the Constitution and the laws.

J. MANCHESTER HAYNES,  
DANIEL F. DAVIS,  
JAMES MORRISON, JR.,  
MOSES S. MOULTON.

And pending its acceptance,  
On motion by Mr. HAYNES,

*Ordered*, That it lie on the table and be printed.

On motion by Mr. PHILLIPS,

S. 54. Bill to establish a State board of examiners of  
\*221 teachers for the public schools, was taken \* from the table,  
and

*Ordered*, That Tuesday next be assigned for its further consideration.

On motion by Mr. PHILLIPS,

The reports of the Committee on Change of Names, submitting the following bills:

H. R. 95. Bill to change the name of Rufus Edwin Bubier;

H. R. 98. Bill to change the names of Amelia and Adelia Bullock;

Were taken from the table.

The reports were accepted, and the bills each read twice, the rules being suspended, and passed to be engrossed in concurrence.

On motion by Mr. NEALLEY,

S. 53. Bill to amend section 10 of chapter 218 of the public laws of 1877, relating to savings banks, was taken from the table.

The bill passed to be engrossed.

Sent down for concurrence.

On motion by Mr. MARTIN,

H. R. 13. Resolve in favor of George Cary, Theodore Cary and Jefferson Cary, was taken from the table, and

*Resolved*, That it be indefinitely postponed.

Sent down for concurrence.

Mr. BARTLETT, from the Committee on Financial Affairs, on an order relating to the appointment of a commission to ascertain if all forms of individual and corporate property are bearing their equal share of the public burdens, and to devise means of equalizing the assessment of the State tax, reported that the same be referred to the next Legislature.

Mr. FERGUSON, from the Committee on Education, \*on \*222 an order relating to reducing the per capita school fund from eighty to seventy cents for each inhabitant, reported that legislation thereon is inexpedient.

Mr. NEALLEY, from the Committee on State Lands and State Roads, on the petition of William M. Cyr and others for aid to build a bridge in township No. 17, range 8, reported that the same be referred to the Committee on Ways and Bridges.

The same Senator, from the same Committee, to whom was referred the petition of G. W. Hows for reimbursement of money paid by him for lots of land in Ashland; also the petition of the town officers of Andover for amendment of chapter 140 of the public laws of 1869, relating to expending money for the repair of the Lake road, so called, reported that the petitioners have leave to withdraw.

Mr. BOARDMAN, from the same Committee, reported that legislation is inexpedient on the following orders:

Order relating to claims for reimbursement of money received for stumpage of timber cut on lot 52 in township No. 5, range 3, west from the east line of the State;

Order relating to the claim of John S. Arnold to lot No. 132 in the town of Limestone.

The same Senator, from the same Committee, on the petition of inhabitants of Madawaska for the purchase of proprietors' land in said town, reported that the petitioners have leave to withdraw.

The same Senator, from the same Committee, on an order relating to the situation of settlers in townships 18 range 4, 18 range

5, 18 range 6 and 18 range 7, reported that the same be referred to the next Legislature.

\*223 \* Mr. TOLMAN, from the Committee on Temperance, on the petition of O. B. Chadbourne and others for legislation making the liquor traffic a felony, reported that legislation thereon is inexpedient.

These reports were severally accepted.

Sent down for concurrence.

Mr. STEVENS, from the Joint Select Committee on Printing and Binding, on an order, submitting a contract with Messrs. Sprague, Owen & Nash to execute the printing for the State for the current year; and a contract with Messrs. E. H. W. Smith & Co. of Augusta, to execute the binding for the State for the current year.

The report was accepted and the contracts severally approved.

Sent down for concurrence.

Mr. SUMNER, from the Committee on Indian Affairs, to whom was recommitted the bill (S. 47) to amend section 2 of chapter 267 of the public laws of A. D. 1873, relating to rents of island shores, reported the same in a new draft and that it ought to pass.

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

Mr. STEVENS, from the Committee on the Judiciary, on bill (S. 41) to repeal chapter 178 of the public laws of 1877, in relation to demurrers, reported that the same ought to pass.

Mr. LEARNED, from the Committee on Agriculture, on (S. 12) resolve in favor of the Shapleigh and Acton Agricultural Society, reported that the same ought to pass.

\*224 Mr. NEALLEY, from the Committee on State Lands \* and State Roads, on (H. R. 20) resolve authorizing the location of a land certificate, reported that the same ought to pass.

The same Senator, from the same Committee, on the petition of the county commissioners of Aroostook county, reported (S. 17) resolve in aid of building a bridge over Fish river in Eagle Lake plantation.

Mr. BOARDMAN, from the same Committee, on the petition of S. W. Stratton, reported (S. 18) resolve in favor of S. W. Stratton.

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

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

H. R. 10. Bill to prevent the throwing of edgings, sawdust and other refuse into the waters of the harbor of Wiscasset, which was read a second time and laid over to be printed.

The same Committee also reported the following bill:

H. R. 106. Bill to abolish the office of crier in the various courts, which was read a second time, and

On motion by Mr. DAVIS of Penobscot,

*Ordered*, That it lie on the table.

The same Committee also reported the following bills:

H. R. 53. Bill to amend chapter 185 of the public laws of 1877, relating to life insurance;

H. R. 107. Bill to amend section 50 of chapter 40 of the revised statutes, relating to migratory fishes in Damariscotta river;

\* H. R. 108. Bill to make valid the doings of the town \*225 of Limestone in the county of Aroostook;

Which were each read a second time and passed to be engrossed in concurrence.

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

S. 36. An act in relation to the police court for the city of Belfast, 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. NEALLEY, at 20 minutes past 11 o'clock A. M.,

The Senate adjourned.

THURSDAY, FEBRUARY 7, 1878.

Senate met according to adjournment.

Prayer by Rev. Mr. SARGENT of Augusta.

On motion by Mr. FERGUSON,

*Ordered*, That the reading of the Journal of yesterday be omitted.

Papers from the House :

Remonstrance of Mrs. M. L. Haskins and others ;

Remonstrance of Lotta Howard and others ;

\*226 Remonstrance of W. M. Haskell and \* others ;

Remonstrance of A. W. Silsby and others ;

Remonstrance of John Bohan and others,—severally against the proposed bill relating to the business of apothecaries ;

Were referred to the Committee on Temperance in concurrence.

H. R. 118. Bill to provide for the more efficient management of the public schools, was referred to the Committee on Education in concurrence.

Report of the Committee on Claims, on the petition of the selectmen of Bradley for reimbursement of money expended by order of the Adjutant General in 1864, that the same be referred to the Committee on the Judiciary ;

Report of the same Committee, on the petition of the selectmen of Milford for reimbursement of money expended by order of the Adjutant General in 1864, that the same be referred to the Committee on the Judiciary ;

Report of the Committee on the Judiciary, on bill (H. R. 5) to limit actions for recovery of real estate, that the same ought not to pass ;

Report of the Committee on Education, on bill (H. R. 73) for a more extensive use, and for the safer preservation of the funds of educational institutions, that the same ought not to pass ;

Report of the Committee on Agriculture, on an order relating to requiring the superintendents of town and city farms to act as pound-keepers, that legislation thereon is inexpedient ;

Report of the Committee on Education, on an order relating to giving schools in unorganized plantations the benefit of the school fund, that legislation thereon is inexpedient ;

Report of the Committee on the Judiciary, on \* an order \*227 relating to amending chapter 27, section 26, of the revised statutes, relating to town liquor agents, that legislation thereon is inexpedient ;

Report of the same Committee, on an order relating to biennial elections, that legislation thereon is inexpedient ;

Report of the same Committee, on an order relating to requiring non-resident owners of real estate to build their respective share of partition fences, that legislation thereon is inexpedient ;

Report of the Committee on Legal Affairs, on an order relating to appeals from the decisions of clerks of courts in the taxation of costs, that legislation thereon is inexpedient ;

Report of the Committee on State Lands and State Roads, on an order relating to granting a small amount of land to Vetal D'Aigle for building a mill in township No. 17, range 6, that legislation thereon is inexpedient ;

Report of the Committee on Agriculture, on the petition of William Swett and others for an appropriation in aid of the Maine Dairymen's Association, that the petitioners have leave to withdraw ;

Report of the Committee on Claims, on the petition of Hannah Lampson for pay for logs cut and hauled by her late husband, that the petitioner has leave to withdraw ;

Report of the same Committee, and the petition of H. G. C. Tompkins for pay for hauling lumber which the Land Agent seized and sold, that the petitioner has leave to withdraw ;

Report of the same Committee, on the petition of John P. Patterson for pay for lumber cut on his lot, that the petitioner has leave to withdraw ;

\* Report of the same Committee, on the petition of W. J. \*228 Corthell for repayment of money expended in the service of the State, that the petitioner has leave to withdraw ;

Report of the Committee on Education, on the petition of the town authorities of Gouldsboro' for reimbursement of school money, that the petitioners have leave to withdraw ;

Report of the same Committee, on the petition of W. W. Hamblett and others that said Hamblett's estate may be set off from

School District No. 3 in Concord and annexed to School District No. 4 in Embden, that the petitioners have leave to withdraw ;

Report of the Committee on the Judiciary, on the petition of citizens of Auburn for an amendment of city charter, that the petitioners have leave to withdraw ;

Report of the Committee on State Lands and State Roads, on the petition of inhabitants of Fort Kent, (from the files of 1877) for aid in building a road from Caribou to Fort Kent, that the petitioners have leave to withdraw ;

Report of the same Committee, on the petition of John F. Sprague and others for an appropriation for a road in Mayfield, that the petitioners have leave to withdraw ;

Report of the same Committee, on the petition of J. E. Estes and others for an appropriation to rebuild a bridge across Macwahoc stream in Macwahoc plantation, that the petitioners have leave to withdraw ;

Report of the same Committee, on the petition of Levi Sears and others for an appropriation to aid in grubbing a road through settling townships, 17, range 6, that the petitioners have leave to withdraw ;

\*229 \* Report of the same Committee, on the petition of S. W. Springer for a deed of land, that the petitioner has leave to withdraw ;

Were severally accepted in concurrence.

Report of the Committee on Banks and Banking, on (H. R. 6) resolve providing for payment for additional services and expenses imposed upon the bank examiner by the savings bank act approved February 9, 1877, that the same ought to pass ;

Report of the Committee on Financial Affairs, on (H. R. 19) resolves in favor of the town of Maysville, that the same ought to pass ;

Were accepted in concurrence, the resolves each read once, and to-morrow assigned for their second reading.

Report of the Committee on Education, on an order, submitting (H. R. 34) resolve in favor of compiling and printing the school laws, was accepted in concurrence, the resolve read once, and

On motion by Mr. BAILEY,

*Ordered*, That it lie on the table.

Report of the Committee on Indian Affairs, on the petition of the Governor, Lt. Governor and others of the Penobscot tribe of Indians, submitting (H. R. 35) resolve making appropriations for the Penobscot tribe of Indians;

Report of the Committee on Ways and Bridges, on the petition of Virgil P. Hall and others for an appropriation for building a road in Mayfield, submitting (H. R. 36) resolve in favor of the town of Mayfield;

Report of the Committee on State Lands and State Roads, on (H. R. 11) resolve in favor of Eugene Michaud, that the same ought to pass;

\* Report of the same Committee, on (H. R. 12) resolve in \*230 favor of Ellebert Michaud, that the same ought to pass;

Report of the same Committee, on the petition of Freeman Hayden, submitting (H. R. 37) resolve in favor of Freeman Hayden;

Report of the same Committee, on the petition of Fred Barker for lot of land, submitting (H. R. 38) resolve in favor of Fred Barker;

Report of the same Committee, on an order relating to authorizing the conveyance of the southwest part of section 52 in township No. 4, range 5, west from the east line of the State, submitting (H. R. 39) resolve authorizing the conveyance of a lot of land in Crystal plantation;

Report of the same Committee, on the petition of Shepard I. Higgins for a lot of land, submitting (H. R. 40) resolve in favor of Shepard I. Higgins;

Report of the same Committee, on the petition of William Reed for deed of land, submitting (H. R. 41) resolve in favor of William Reed;

Report of the same Committee, on the petition of Ezekiel Levasseur for deed of land, submitting (H. R. 42) resolve in favor of Ezekiel Levasseur;

Report of the same Committee, on the petition of John S. Arnold for a deed of a lot of land, submitting (H. R. 43) resolve in favor of John S. Arnold;

Report of the same Committee, on the petition of Cyrus T. Daniels for a lot of land, submitting (H. R. 44) resolve in favor of Cyrus T. Daniels;

Report of the same Committee, on the petition of Charles C. Libby for a lot of land, submitting (H. R. 45) resolve in favor of Charles C. Libby ;

Report of the same Committee, on the petition of Lydia A. \*231 Daniels for a lot of land, submitting \*(H. R. 46) resolve in favor of Lydia A. Daniels ;

Report of the same Committee, on the petition of L. D. Todd for deed of land, submitting (H. R. 47) resolve in favor of L. D. and H. P. Todd ;

Report of the same Committee, on the petition of James E. Holmes for a deed of a lot of land, submitting (H. R. 48) resolve in favor of James E. Holmes ;

Report of the same Committee, on the petition of Jeremiah Crouse for a lot of land, submitting (H. R. 49) resolve in favor of Jeremiah Crouse ;

Report of the same Committee, on the petition of Henry C. Spooner for a lot of land, submitting (H. R. 50) resolve in favor of Henry C. Spooner ;

Report of the same Committee, on the petition of C. F. Collins for certain lots of land, submitting (H. R. 51) resolve in favor of Charles F. Collins ;

Report of the same Committee, on (H. R. 14) resolve to carry into effect the provisions of chapter 49 of the resolves of 1869, that the same ought to pass ;

Report of the Committee on Interior Waters, on bill (H. R. 4) to incorporate the Square Pond Reservoir Company, with the same in a new draft and that it ought to pass ;

Were severally accepted in concurrence, the resolves and bill each read once, and to-morrow assigned for their second reading.

Report of the Committee on Ways and Bridges, submitting a bill (S. 48) authorizing the location of a highway over the tide waters of Georges river in Thomaston, accepted by the Senate (and the bill passed to be engrossed) came up indefinitely postponed, and

On motion by Mr. BRAGDON,

\*232 \*Ordered, That it lie on the table.

The following bill, laid over to be printed pending its passage to be engrossed :

H. R. 100. Bill for the preservation of bass in Winnegance creek, was considered and passed to be engrossed in concurrence.

The following printed bill :

S. 55. Bill to prevent the throwing of slabs and other refuse into the Kennebec river and its tributaries, was read once and tomorrow assigned for its second reading.

Mr. BOARDMAN presented (S. 19) resolve requesting the Attorney General to inquire into the management of the Maine Industrial School for Girls, which was read twice, the rules being suspended, and

On motion by Mr. PHILLIPS,

*Ordered*, That it lie on the table.

Mr. NASH presented the remonstrance of Daniel M. Young and others, against diverting the savings bank tax from the school fund.

Mr. DAVIS of Cumberland presented the remonstrance of the school board of Portland against the same.

The foregoing were referred to the Committee on Financial Affairs.

Sent down for concurrence.

Mr. ROGERS, from the Committee on Banks and Banking, on an order relating to days of grace, reported that legislation thereon is inexpedient.

Mr. PRINCE, from the Committee on Legal Affairs, on bill (S. 52) concerning itinerant physicians, reported that the same ought not to pass.

Mr. BURLEIGH, from the Committee on State Lands \* and State Roads, on an order relating to the claims of \*233 settlers on township No. 17, range 7, west from the east line of the State, known as Wallagrass, reported that the same be referred to the Governor and Council, with directions to report upon the subject to the next Legislature.

The same Senator, from the same Committee, on the petition of the selectmen of Monson for aid in repairing the road from Abbot Depot to Shirley, reported that the petitioners have leave to withdraw.

Mr. HASSELL, from the Committee on Towns, on the petition of the inhabitants of Ward plantation to be set off from the pro-

prietors' lands, reported that the petitioners have leave to withdraw.

Mr. BRAGDON, from the Committee on Ways and Bridges, on the petition of Martin Savage and others for an appropriation to build a bridge across the St. John river at Little Falls, reported that the same be referred to the next Legislature.

These reports were severally accepted.

Mr. IRISH, from the Committee on Fisheries, on the petition of V. A. Sprague and others, reported a bill (S. 62) to prevent the taking of fish from Dexter pond, in the county of Penobscot, for the term of three years.

Mr. NEALLEY, from the Committee on Railroads, on the petition of Charles P. Chase and others, reported a bill (S. 63) to amend chapter 120 of the special laws of 1872, entitled "an act to incorporate the Penobscot Central Railroad Company."

Mr. PHILLIPS, from the Committee on Legal Affairs, on bill (S. 15) to incorporate the Bangor Board of Trade, reported that the same ought to pass.

\*234 \*These reports were accepted, the bills each read once and to-morrow assigned for their second reading.

Mr. BAILEY, from the Committee on Financial Affairs, reported a bill (S. 64) repealing the several acts establishing the school mill fund for the support of common schools.

Mr. MOULTON, from the Committee on Ways and Bridges, on bill (H. R. 8) to amend section 48, chapter 18 of the revised statutes, relating to highway taxes, reported that the same ought to pass.

Mr. DAVIS of Cumberland, from the Committee on Railroads, on bill (H. R. 66) additional to chapter 258 of the public laws of 1874, relating to adjustment of railroad taxes, reported the same in a new draft, under title of an act additional to chapter 19 of the public laws of the year 1875, relating to the taxation of railroad companies, and that the same ought to pass.

Mr. NEALLEY, from the same Committee, on an order, reported a bill (S. 65) to amend section 10 of chapter 120 of the public laws of the year 1876, entitled "an act to authorize the formation of railroad corporations."

Mr. NASH, from the same Committee, on an order, reported a

bill (S. 66) to amend chapter 214 of the public laws of the year 1874, entitled "an act relating to ways across railroads."

Mr. PHILLIPS, from the Committee on Legal Affairs, on an order, reported a bill (S. 67) for a uniform rule in the scale of logs and timber.

Mr. NEALLEY, from the Committee on State Lands and State Roads, on the report of the Attorney General, reported a bill (S. 68) to more \*fully carry out the proviso of section 10 of the act of Congress, chapter 177 of the acts of 1868, relating to compensation for the lands assigned by Maine to settlers.

Mr. BURLEIGH, from the same Committee, on the petition of James Nutting and others for an investigation of the claim of the heirs of the late John Godard, reported (S. 20) resolve relating to Perham plantation.

Mr. BURLEIGH, from the same Committee, on the petition of J. E. Estes and others, reported (S. 21) resolve for repairing bridge over Molunkus stream in Macwahoc plantation.

Mr. FERGUSON, from the Committee on Library, on (S. 15) resolve in favor of the town of Deering, 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. NASH, from the Committee on Commerce;

Mr. IRISH, from the Committee on Fisheries;

Mr. HOBSON, from the Committee on Manufactures;

Mr. DAVIS of Cumberland, from the Committee on Railroads;

Mr. BURLEIGH, from the Committee on State Lands and State Roads;

Mr. HASSELL, from the Committee on Towns;

Mr. TOLMAN, from the Committee on Temperance;

Mr. MOULTON, from the Committee on Ways and Bridges,—respectively reported that the said Committees have acted upon all matters referred to them.

The reports were accepted.

\* Sent down for concurrence.

\*236

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

H. R. 17. Bill to vest the franchise and property of the pro-

prietors of Merrymeeting bridge in the inhabitants of the county of Sagadahoc, which was read a second time, House amendments "A" and "B" were agreed to, and the bill, as amended, passed to be engrossed in concurrence.

The same Committee also reported the following bills :

H. R. 32. Bill relating to coroners ;

S. 27. Bill to amend section 26 of chapter 90 of the public laws of 1876, in relation to lime rock and slate ;

H. R. 60. Bill to amend section 5, chapter 60 of the revised statutes, relating to actions of divorce ;

H. R. 109. Bill to prohibit the taking of fish from Withee's pond and tributaries in the town of Dover ;

H. R. 111. Bill to incorporate the St. Croix Lake Dam Company ;

H. R. 115. Bill to amend chapter 19, section 10, of the revised statutes, relating to the law of roads ;

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. 47. Bill to amend section 2 of chapter 267 of the public laws of 1873, relating to rents of island shores ;

S. 2. Bill to establish a municipal court in the town of Farmington ;

S. 38. Bill to facilitate the transfer to the United States of the title to the Antietam National Cemetery, in the State of Maryland ;

\*237 \*S. 14. Resolve in relation to the documentary history of the State of Maine ;

S. 13. Resolve in favor of the State Reform School ;

Which were each read a second time and passed to be engrossed.

Sent down for concurrence.

The same Committee also reported the following bill :

H. R. 110. Bill relating to building and maintaining the lock in the dam across the Kennebec river at Augusta, which was read a second time, and

On motion by Mr. HAYNES,

*Ordered*, That it lie on the table.

The same Committee also reported the following bill :

H. R. 112. Bill to amend section 12 of chapter 112 of the revised statutes, relating to corrupt agreements by attorneys and others, which was read a second time.

Mr. STEVENS proposed an amendment marked "A," which was agreed to, and the bill, as amended, passed to be engrossed.

Sent down for concurrence.

The same Committee also reported the following bill :

H. R. 113. Bill in relation to the duties of county attorneys, and additional to chapter 79 of the revised statutes, which was read a second time, and

On motion by Mr. BOARDMAN,

*Ordered*, That it lie on the table.

The same Committee also reported the following bill :

H. R. 114. Bill to abolish the organization of plantation No. 6, in the county of Franklin, which \* was read a second \*238 time, and

On motion of Mr. MORRISON,

*Ordered*, That it lie on the table.

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

S. 43. An act to extend the time for locating and constructing the Piscataquis Central Railroad ;

S. 50. An act to amend the charter of the city of Ellsworth ;

H. R. 96. An act to incorporate the town of Hurricane Isle ;

H. R. 104. An act authorizing the Bates Manufacturing Company to reduce the par value of its stock and to issue new shares ;

S. 7. Resolve relating to lands held under conditional grants ;

H. R. 10. Resolve in favor of Cyrus William King ;

H. R. 26. Resolve in favor of the Passamaquoddy Indians ;

Which several bills were each passed to be enacted and the resolves 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.

On motion by Mr. HAYNES,

S. 37. Bill to incorporate the Hallowell Boom Company, was taken from the table, and

*Ordered*, That it be referred to the Committee on Interior Waters.

Sent down for concurrence.

On motion by Mr. COBB,

\*239 H. R. 86. Bill to amend section 1 of chapter 58 \* of the public laws of 1876, relating to auctioneers, was taken from the table and passed to be engrossed in concurrence.

On motion by Mr. BURLEIGH,

The vote was reconsidered whereby the Senate indefinitely postponed (H. R. 13) resolve in favor of George Cary, Theodore Cary and Jefferson Cary, and

*Ordered*, That the resolve lie on the table.

On motion by Mr. DAVIS of Penobscot,

The vote was reconsidered whereby the Senate passed to be engrossed (H. R. 63) bill to amend section 66 of chapter 82 of the revised statutes, relating to juries, and

*Ordered*, That the bill be recommitted to the Committee on Legal Affairs.

Sent down for concurrence.

The contract with Messrs. Sprague, Owen and Nash to execute the State printing for the ensuing year, came 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 & Co. to execute 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.

On motion by Mr. HAYNES,

The report (Senate printed Doc. No. 37) of the Committee on Senatorial Votes for the Sixteenth District, was taken from the table, together with the minority report of the same Committee (Senate printed Doc. No. 36) and

On motion by Mr. DAVIS of Penobscot,

\*240 \**Ordered*, That Tuesday next be assigned for their consideration.

On motion by Mr. PHILLIPS, at 30 minutes past 12 o'clock P. M.,

The Senate adjourned.

FRIDAY, FEBRUARY 8, 1878.

Senate met according to adjournment.

Prayer by Rev. Mr. PENNEY of Augusta.

On motion by Mr. MARTIN,

*Ordered*, That the reading of the Journal of yesterday be omitted.

Papers from the House :

Petition of a public meeting in Portland, for the effectual suppression of the liquor traffic, was referred to the next Legislature in concurrence.

Remonstrance of Theodore Hill and others ;

Remonstrance of Edwin Thomas and others ;

Remonstrance of Phillip Wilson and others ;

Remonstrance of James Sherman and others ;

Remonstrance of T. J. Stanhope and others,—severally against the proposed bill relating to apothecaries ;

Were referred to the Committee on Temperance in concurrence.

Remonstrance of citizens of Andover, against legislation granting the right to control the waters of Ellis river, was referred to the Committee on Interior \* Waters in concurrence. \*241

H. R. 119. Bill to amend section 14 of chapter 7 of the revised statutes, relating to the making of an alphabet in the register of deed's office, was referred to the Committee on the Judiciary in concurrence.

H. R. 52. Resolve in favor of Portland Public Library, was referred to the Committee on Library in concurrence.

Report of the Committee on Fisheries, on bill (H. R. 41) authorizing George M. Miles to extend his wharf and erect wharves in the tide waters of Rutherford's island in the town of Bristol, in the county of Lincoln, that the same be referred to the Committee on Mercantile Affairs and Insurance ;

Report of the Committee on Legal Affairs, on bill (H. R. 33) additional to chapter 151 of the public laws of 1868, in relation to the Superior Court of Cumberland county, that the same ought not to pass;

Report of the same Committee, on bill (H. R. 90) to amend section 109, chapter 6 of the revised statutes, relating to the collection of taxes, that the same ought not to pass;

Report of the same Committee, on an order relating to requiring sheriffs to report monthly to county commissioners the expenses of maintaining prisoners, that legislation thereon is inexpedient;

Report of the Committee on Agriculture, on an order relating to encouraging the importation and breeding of thorough-bred horses, sheep and swine, also the raising of wheat, corn and sugar beets, that legislation thereon is inexpedient;

Report of the same Committee, on an order relating to encouraging the importation of thorough-bred herd-book stock, that legislation thereon is inexpedient;

Report of the Committee on Fisheries, on an order relating to the construction of fish-weirs, that legislation thereon is inexpedient;

Report of the Committee on Towns, on the petition of Alexander Monteith and others praying that Merchant's island be set off from Isle au Haut and annexed to Deer Isle, that the petitioners have leave to withdraw;

Report of the same Committee, on the petition of the selectmen of South Thomaston praying that Dix, Crow and other islands may be annexed to South Thomaston, that the same be referred to the next Legislature with an order of notice;

Report of the Committee on Temperance, on the petition of Frederic Storer and others for legislation authorizing the sale of beer and cider, that the petitioners have leave to withdraw;

Report of the Committee on State Lands and State Roads, on the petition of George A. Saunders for pay for stumpage of timber cut on his land, that the petitioner has leave to withdraw;

Report of the Committee on Ways and Bridges, on the petition of W. A. Potter and others for legislation vesting the franchise of the People's Ferry Company in the county of Sagadahoc, that the petitioners have leave to withdraw;

Were severally accepted in concurrence.

Report of the Committee on the Judiciary, on bill (H. R. 45) to extend the time for organization of the Calais Railroad Company, incorporated by chapter 532 of the private laws of 1874, that the same ought to pass ;

\* Report of the same Committee, on bill (H. R. 80) to \*243 ratify, confirm and make valid the action of the city of Ellsworth providing for the funding of its city debt, that the same ought to pass ;

Report of the Committee on Fisheries, on the petition of Sanborn Brothers and others, submitting a bill (H. R. 82) to restrict fishing in Sanborn Brothers' pond in Baldwin ;

Were accepted in concurrence, the bills each read once, and Monday assigned for their second reading.

Report of the Committee on Ways and Bridges, on bill (H. R. 84) for the better protection of the rights of towns, that the same ought to pass, was accepted in concurrence, the bill read once, and

On motion by Mr. IRISH,

*Ordered*, That it lie on the table.

Report of the Committee on Fisheries, on the petition of the selectmen of Warren, submitting a bill (H. R. 120) to amend an act entitled "an act to regulate the shad and alewife fishery in the town of Warren in the county of Lincoln," passed March 6, 1802 ;

Report of the same Committee, on bill (H. R. 88) to amend an act to regulate and protect fisheries and propagation of fish, and on sundry petitions, submitting a bill (H. R. 121) to regulate and protect fisheries, and the propagation of fish ;

Report of the Committee on the Judiciary, on the petition of C. P. Mattocks and others, submitting a bill (H. R. 122) to incorporate the Maine Rifle Club ;

Report of the same Committee, on the petition of David McKenney and others, submitting (H. R. 53) resolve making valid the records of the First Christian Society of Saco ;

\* Report of the Committee on Ways and Bridges, on the \*244 petition of inhabitants of Madawaska for an appropriation to build a bridge over Isoie Martin's stream, submitting (H. R. 54) resolve in favor of the town of Madawaska ;

Were accepted in concurrence, the bills and resolves each read once, and Monday assigned for their second reading.

H. R. 56. Resolve in favor of the Joint Standing Committee on Financial Affairs, came up passed to be engrossed, and was read twice, the rules being suspended, and passed to be engrossed in concurrence.

S. 31. An act additional relative to the Boston and Maine Railroad, came up referred to the next Legislature, with an order of notice, pending its passage to be enacted, and

On motion by Mr. BAILEY,

*Ordered*, That it lie on the table.

The following communication was received from the Governor :

STATE OF MAINE.

EXECUTIVE DEPARTMENT, }  
Augusta, February 7, 1878. }

*To the Senate and House of Representatives :*

I have the honor to inform you that the resignation of J. L. Chamberlain as Major General of the militia has been accepted by me, and that a vacancy accordingly exists in that office.

(Signed)

SELDEN CONNOR.

Mr. BOARDMAN, by leave, presented a resolve (S. 22) in favor of furnishing the town of Hurricane Isle with reports  
\*245 and other official documents, which was read \* a first and second time, the rules being suspended, and passed to be engrossed. Sent down for concurrence.

On motion by Mr. NEALLEY,

*Ordered*, That when the Senate adjourns it be to meet on Monday next at 4 o'clock P. M.

On motion by Mr. PHILLIPS,

*Ordered*, That the use of the Senate Chamber be allowed to the Committee on Instruction of the State Teachers' Association, the forenoon of Saturday, February 9.

Mr. BOARDMAN presented a bill (S. 69) to change the name of the Malachite Mining Company, which was referred to the Committee on the Judiciary.

Mr. DAVIS of Penobscot presented a bill (S. 70) to establish the salary of the clerk of courts for the county of Penobscot, which was referred to the Penobscot County Delegation.

Sent down for concurrence.

On motion by Mr. BURLEIGH,

H. R. 13. Resolve in favor of George Cary, Theodore Cary and Jefferson Cary, was taken from the table.

The question being on the motion by Mr. MARTIN that the resolve be indefinitely postponed, it was determined in the affirmative.

Sent down for concurrence.

On motion by Mr. MORRISON,

H. R. 114. Bill to abolish the organization of plantation No. 6 in the county of Franklin, was taken from the table and passed to be engrossed in concurrence.

On motion by Mr. BAILEY,

\* H. R. 34. Resolve in favor of compiling and printing \*246 school laws, was taken from the table, and Monday next was assigned for its second reading.

On motion by Mr. DAVIS of Penobscot,

The report of the Committee on Agriculture, submitting a bill (S. 49) to repeal chapter 200 of the public laws of 1877, entitled "an act additional to chapter 30 of the revised statutes, relating to mischievous dogs," and also the minority report of the same Committee, submitting a bill (S. 61) to amend chapter 200 of the public laws of 1877, relating to mischievous dogs, were taken from the table.

The question being on the motion by Mr. PRINCE that the report of the majority be amended by substituting therefor the report of the minority, it was agreed to, and the report, as amended, was accepted, and the bill (S. 61) was read once.

Mr. DAVIS of Penobscot proposed to amend by prefixing to the first line of section one the words "*when towns so vote*," and upon the question of its adoption, it was determined in the negative.

So the amendment was disagreed to, and the bill was assigned for Monday for its second reading.

On motion by Mr. PHILLIPS,

S. 19. Resolve requesting the Attorney General to inquire into the management of the Maine Industrial School for Girls, was taken from the table and passed to be engrossed.

Sent down for concurrence.

Mr. WOODWARD, from the Committee on Claims, on an order relating to reimbursement of money expended by Eagle \*247 Island plantation during the war \*of the rebellion, reported that the same be referred to the next Legislature.

Mr. GRINDLE, from the Committee on Federal Relations, on the petition of Charles Sweron and others for legislation requesting our delegation in Congress to use their influence for reciprocity of trade between the United States and the Dominion of Canada, reported that the petitioners have leave to withdraw.

Mr. NASH, from the Committee on Pensions, on an order and the petition of Benjamin Smith for a pension, reported that the petitioner has leave to withdraw.

Mr. TOLMAN, from the Committee on Interior Waters, on bill (H. R. 42) to amend an act entitled "an act to incorporate the Androscoggin Water Power Company," reported that the same be referred to the next Legislature.

Mr. STEVENS, from the Committee on the Judiciary, on bill (S. 19) to incorporate the Presumpscot Water Power Company, reported that the same ought to pass.

Mr. DAVIS of Penobscot, from the same Committee, on bill (S. 58) to incorporate the Machiasport and Machias Telegraph Company, reported that the same ought to pass.

Mr. HAYNES, from the same Committee, on the petition of citizens of Augusta, reported a bill (S. 71) to amend the charter of the city of Augusta.

Mr. BOARDMAN, from the Committee on Interior Waters, on the petition of Elias Goff, reported a bill (S. 72) providing for a canal at the head waters of Presumpscot river.

\*248 These reports were accepted, the bills each read \*once, and Monday assigned for their second reading.

Mr. COBB, from the Committee on Insane Hospital, on the Governor's address, relating to a new insane hospital, reported a bill (S. 73) to locate, erect and carry on a new hospital for the insane.

Mr. MARTIN, from the Committee on Military Affairs, on the petition of St. Elizabeth Orphan Asylum of Portland, reported (S. 23) resolve in favor of St. Elizabeth's Orphan Asylum of Portland.

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

Mr. LEARNED, from the Committee on Claims ;  
 Mr. BARTLETT, from the Committee on Counties ;  
 Mr. PHILLIPS, from the Committee on Education ;  
 Mr. GRINDLE, from the Committee on Federal Relations ;  
 Mr. DRAKE, from the Committee on Indian Affairs ;  
 Mr. BOARDMAN, from the Committee on Interior Waters ;  
 Mr. MOODY, from the Committee on Pensions ;  
 Mr. TOLMAN, from the Committee on Reform School ;  
 Mr. BRAGDON, from the Committee on State Prison,—respectively reported that said Committees have acted upon all matters referred to them.

These reports were severally accepted.

Sent down for concurrence.

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

H. R. 6. Resolve providing for payment for additional services and expenses imposed upon the bank examiner by the savings bank act approved February 9, 1877, which was read a second time, and

\* On motion by Mr. DAVIS of Penobscot,

\*249

*Ordered*, That it lie on the table.

The same Committee also reported the following resolve :

H. R. 14. Resolve to carry into effect the provisions of chapter 49 of the resolves of 1869, which was read a second time, and

On motion by Mr. BRAGDON,

*Ordered*, That it lie on the table.

The same Committee also reported the following resolve :

H. R. 36. Resolve in favor of the town of Mayfield, which was read a second time, and

On motion by Mr. BOARDMAN,

*Ordered*, That it lie on the table.

The same Committee also reported the following resolves :

H. R. 11. Resolve in favor of Eugene Michaud ;

H. R. 12. Resolve in favor of Mrs. Ellebert Michaud ;

Which were each read a second time, and

On motion by Mr. BRAGDON,

*Resolved*, That they be indefinitely postponed.

Sent down for concurrence.

The same Committee also reported the following resolves and bill:

- H. R. 19. Resolve in favor of the town of Maysville;
- H. R. 35. Resolve making appropriations for the Penobscot tribe of Indians;
- H. R. 37. Resolve in favor of Freeman Hayden;
- H. R. 38. Resolve in favor of Fred Barker;
- H. R. 39. Resolve authorizing the conveyance of a lot of land in Crystal plantation;
- H. R. 40. Resolve in favor of Shepard I. Higgins;
- \*250 \*H. R. 41. Resolve in favor of William Reed;
- H. R. 42. Resolve in favor of Ezekiel LeVasseur;
- H. R. 43. Resolve in favor of John S. Arnold;
- H. R. 44. Resolve in favor of Cyrus T. Daniels;
- H. R. 45. Resolve in favor of Charles C. Libby;
- H. R. 46. Resolve in favor of Lydia A. Daniels;
- H. R. 47. Resolve in favor of L. D. and H. P. Todd;
- H. R. 48. Resolve in favor of James E. Holmes;
- H. R. 49. Resolve in favor of Jeremiah Crouse;
- H. R. 50. Resolve in favor of Henry C. Spooner;
- H. R. 51. Resolve in favor of Charles F. Collins;
- H. R. 4. Bill to incorporate the Square Pond Reservoir Company;

Which were each read a second time and passed to be engrossed in concurrence.

The same Committee also reported the following bills:

S. 62. Bill to prevent the taking of fish from Dexter pond, in the county of Penobscot, for the term of three years;

S. 63. Bill to amend chapter 120 of the special laws of 1872, entitled an "act to incorporate the Penobscot Central Railroad Company;"

S. 15. Bill to incorporate the Bangor Board of Trade;

Which were each read a second time and passed to be engrossed.

Sent down for concurrence.

The same Committee also reported the following bill:

S. 55. Bill to prevent the throwing of slabs and other refuse into the Kennebec river and its tributaries, which was read a second time, and

On motion by Mr. HAYNES,

*\*Ordered*, That Monday next be assigned for its further \*251 consideration.

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

S. 44. An act to amend chapter 11 of the revised statutes, in relation to the rights of plantations to receive their proportion of State school fund ;

H. R. 9. An act to amend and extend the acts in relation to the Wiscasset and Quebec Railroad Company, the Messalonskee and Kennebec Railroad Company, and the Somerset Railroad Company ;

H. R. 28. An act to prevent fraud in commercial fertilizers ;

H. R. 36. An act to authorize reduction of capital stock of corporations ;

H. R. 37. An act amendatory of an act to provide for the organization of business corporations ;

H. R. 59. An act to amend section 11 of chapter 95 of the revised statutes, relating to actions of trespass ;

H. R. 99. An act to prevent the killing of deer in the county of Waldo ;

H. R. 102. An act to protect the breeding of trout in Perkins brook, so called, in the towns of North Berwick, Wells and Sanford, in the county of York ;

H. R. 103. An act for the further protection and propagation of eels in Damariscotta river and pond ;

H. R. 32. Resolve abating a portion of the State tax of Haynesville for the year 1877, and assessing the same on No. 3, range 2, Aroostook county ;

H. R. 33. Resolve in favor of Baring and Houlton road across Indian township, and Grand Lake Stream road in Washington county ;

Which several bills were each passed to be enacted \*and \*252 the resolves were 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.

On motion by Mr. NEALLEY, at 45 minutes past 12 o'clock P. M.,

The Senate adjourned.

MONDAY, FEBRUARY 11, 1878.

Senate met according to adjournment.

Prayer by Rev. Mr. CURTIS of Augusta.

On motion by Mr. FERGUSON,

*Ordered*, That the reading of the Journal of Friday be omitted.

Papers from the House :

Petition of David Steward and others, for change in the law relating to divorce, so as to require the assent of three justices of the Supreme Judicial Court to decree a divorce ;

Petition of David Steward and others of Corinna for legislation to abolish imprisonment for debt ;

Were referred to the next Legislature in concurrence.

\*253 H. H. 123. Bill to incorporate the Portland Yacht \* Club, was referred to the Committee on the Judiciary in concurrence.

H. R. 57. Resolve for the appointment of a commission to revise the militia laws, was referred to the Committee on Military Affairs in concurrence.

Report of the Committee on the Judiciary, on an order relating to amending chapter 200 of the public laws of 1877, relating to licensing dogs, that the same be referred to the Committee on Agriculture ;

Report of the Committee on Indian Affairs, on the memorial of the Penobscot tribe of Indians, relating to lease of islands belonging to said tribe, that the same be referred to the Governor and Council ;

Report of the Committee on the Judiciary, on bill (S. 34) to amend section 4 of chapter 124 of the revised statutes, relating to polygamy, that the same ought not to pass ;

Report of the same Committee, on bill (H. R. 47) additional to an act entitled "an act additional to chapter 31 of the revised statutes, relating to factors, agents and warehouse-men," that the same ought not to pass ;

Report of the same Committee, on an order relating to providing for a lien for cutting and hauling cord-wood, that legislation thereon is inexpedient ;

Report of the same Committee, on an order relating to the rights of persons loaning money to administrators and executors, that legislation thereon is inexpedient ;

Report of the same Committee, on an order relating to amending section 56 of chapter 113 of the revised statutes, so that said section shall not conflict with section 9 of chapter 116, that legislation thereon is inexpedient ;

\* Report of the Committee on the Judiciary, on an order \*254 relating to amending section 65, chapter 206 of the public laws of 1877, by striking out the word "notice" and inserting the word "knowledge," that legislation thereon is inexpedient ;

Report of the same Committee, on the petition of J. F. Davis and others for legislation providing a lien on vessels, similar to the general statutes of Massachusetts, that legislation thereon is inexpedient ;

Report of the same Committee, on the petition of Ephraim Witham and others for legislation providing a lien in favor of persons furnishing labor and materials in carrying on the lumbering business, that the petitioners have leave to withdraw ;

Report of the same Committee, on the petition of the selectmen of Byron for legislation authorizing the setting at work of persons imprisoned for non-payment of taxes, that the petitioners have leave to withdraw ;

Report of the same Committee, on the petition of B. F. Pease and others for an act of incorporation as the Ossipee River Agricultural Society, ( bill H. R 81 ) that the petitioners have leave to withdraw ;

Report of the Committee on Interior Waters, on the petition of John T. Hoskins and others for authority to maintain a wire ferry across the Penobscot river between the Bangor dam and the town of Veazie, that the petitioners have leave to withdraw ;

Report of the Committee on Claims, on the petition of John Allen for a grant of land in payment of a claim on land conveyed by the State, that the petitioner has leave to withdraw ;

Were severally accepted in concurrence.

\*255 \*Report of the Committee on Interior Waters, on bill (H. R. 1) to prevent the throwing of refuse lumber into the Patten's pond stream in Surry, Hancock county, that the same ought to pass;

Report of the same Committee, on bill (H. R. 2) to provide for the improvement of the navigation of the Souedehunk stream, for log driving, with the same in a new draft, and that it ought to pass;

Report of the same Committee, on the petition of George Underwood and others for authority to navigate the waters of Wayne, Fayette and Mt. Vernon by steam, submitting a bill (H. R. 124) to authorize Abial D. Knapp and Woodbury S. Knapp to navigate Androscoggin pond and Dead river in the towns of Wayne and Leeds, Wing's pond in Wayne, Lovejoy's pond in Wayne, Readfield and Fayette, Crotched pond in Readfield, Fayette and Mt. Vernon, by steam;

Report of the Committee on Fisheries, on the petition of N. W. Purrington and others, submitting a bill (H. R. 125) for the protection of sturgeon in the waters of the Kennebec river and its tributaries;

Report of the Committee on the Judiciary, on an order relating to enlarging the time within which the Governor and Council may assess railroad taxes, submitting a bill (H. R. 126) to amend chapter 258 of the public laws of 1874, entitled "an act relating to taxation of railroad companies;"

Report of the Committee on Legal Affairs, on the petition of J. D. Teague and others, submitting a bill (H. R. 127) to make valid the acts of the Lyndon Union Meeting-house Association of Caribou;

Report of the Committee on Towns, on the petition of Thomas Edes and others, submitting a bill (H. R. 128) \*to set off  
\*256 a part of the town of Parkman in the county of Piscataquis, and annex the same to the town of Guilford in said county;

Report of the same Committee, on the petition of S. T. Holbrook and others, submitting a bill (H. R. 129) to set off certain property from Oxford Village Fire Engine Corporation;

Report of the Committee on Military Affairs, on (H. R. 31) resolve relating to military property, that the same ought to pass;

Report of the Committee on Claims, on the petition of Thomas Kennedy, submitting ( H. R. 58 ) resolve relating to the claims of Peter Murphy and Thomas Kennedy ;

Report of the Committee on County Estimates, submitting ( H. R. 59 ) resolve laying a tax on the several counties of the State.

Report of the Committee on State Prison, on the Governor's Address, submitting ( H. R. 60 ) resolve authorizing the appointment of a delegate to the International Prison Congress ;

Were severally accepted in concurrence, the bills and resolves each read once, and to-morrow assigned for their second reading.

H. R. 61. Resolve in favor of the Joint Standing Committee on Agriculture, came from the House passed to be engrossed, and was read twice, the rules being suspended, and passed to be engrossed in concurrence.

Report of the Committee on Agriculture, on bill ( H. R. 27 ) to encourage the planting of trees, that the same ought to pass, was accepted, the bill read once, and indefinitely postponed in concurrence.

\* Report of the Committee on Ways and Bridges, on the \*257 petition of Charles Sweron and others, for an appropriation to build a bridge over Rossignal stream in Frenchville, submitting ( H. R. 55 ) resolve in favor of the town of Frenchville, was accepted, the resolve read once, and refused a passage in concurrence.

Report of the same Committee, on the petition of Allen Blanchard, Jr., and others, submitting ( H. R. 62 ) resolve in favor of a road leading from Kingfield to Eustis, was accepted in concurrence, the resolve read once, and

On motion by Mr. MORRISON,

*Ordered*, That it lie on the table.

Report of the same Committee, on the petition of N. Blake and others, submitting ( H. R. 63 ) resolve in favor of repairing bridge across the Aroostook river in the town of Ashland, was accepted, the resolve read once and refused a passage in concurrence.

Report of the Committee on Education, on an order relating to reducing the amount of school money required to be raised per

capita from eighty to seventy cents, that legislation thereon is inexpedient, came from the House recommitted.

The Senate receded and concurred with the House.

The following :

*Ordered*, That the Committee on Legal Affairs are requested to inquire into the expediency of abolishing the office of Insurance Commissioner, and transferring the duties of that office to the State Treasurer and Secretary of State, indefinitely postponed by the Senate, came back, and the House \*insists upon its \*258 passage, and proposes a Committee of Conference, with Messrs. Woodbury of Houlton, Young of Brunswick and Smith of Waterville, appointed conferees on its part.

On motion by Mr. NEALLEY,

*Resolved*, That the Senate adheres.

The following printed bills and resolves :

S. 23. Resolve in favor of St. Elizabeth Orphan Asylum of Portland ;

S. 41. Bill to repeal chapter 178 of the public laws of 1877, in relation to demurrers ;

S. 17. Resolve in aid of building a bridge over Fish River in Eagle Lake plantation ;

S. 18. Resolve in favor of S. W. Stratton ;

H. R. 20. Resolve authorizing the location of a land certificate ;

S. 15. Resolve in favor of the town of Deering ;

S. 20. Resolve relating to Perham plantation ;

S. 21. Resolve for repairing bridge over Molunkus stream in Macwahoc plantation ;

H. R. 8. Bill to amend section 48, chapter 18 of the revised statutes, relating to highway taxes ;

H. R. 66. Bill additional to chapter 19 of the public laws of the year 1875, relating to the taxation of railroad companies ;

S. 64. Bill repealing the several acts establishing the school mill fund for the support of common schools ;

S. 66. Bill to amend chapter 204 of the public laws of the year 1874, entitled "an act relating to ways across railroads ;"

S. 67. Bill for a uniform rule in the scale of logs and timber ;

\*259 \*S. 68. Bill to more fully carry out the proviso of section 10 of the act of Congress, chapter 177 of the acts

of 1868, making compensation for the lands assigned by Maine to settlers ;

H. R. 10. Bill to prevent the throwing of edgings, sawdust and other refuse into the waters of the harbor of Wiscasset ;

Were each read once and to-morrow assigned for their second reading.

S. 65. Bill to amend section 10 of chapter 120 of the public laws of the year 1876, entitled "an act to authorize the formation of railroad corporations," was read once.

Mr. DAVIS of Cumberland proposed to amend by inserting in the blank between the words "be" and "dollars" the words "twelve hundred."

The amendment was agreed to, and the bill assigned for to-morrow for its second reading.

S. 12. Resolve in favor of the Shapleigh and Acton Agricultural Society, was read twice, the rules being suspended, and passed to be engrossed.

Sent down for concurrence.

S. 73. Bill to locate, erect and carry on a new hospital for the insane, was read once and recommitted to the Committee on Insane Hospital.

Sent down for concurrence.

On motion by Mr. BRAGDON,

The report of the Committee on State Prison, submitting (S. 16) resolve in favor of the State Prison, was taken from the table and accepted, the resolve read once, and to-morrow assigned for its second reading.

Mr. HAYNES, by leave, presented (S. 24) resolve \*re- \*260 lating to the State College of Agriculture and the Mechanic Arts, which was laid over to be printed under the Rule.

Mr. DAVIS of Penobscot, from the Committee on the Judiciary, on bill (S. 59) to provide stenographic reporters for the grand jury, reported that the same ought not to pass.

Mr. STEVENS, from the same Committee, on bill (H. R. 105) in relation to the testimony of persons accused, reported that the same ought not to pass.

The same Senator, from the same Committee, on bill (H. R. 69) to amend section 25 of chapter 65 of the revised statutes, relating to allowances to minor children, reported that the same ought not to pass.

Mr. ROGERS, from the Committee on Banks and Banking, reported that said Committee has acted upon all matters referred to them.

These reports were accepted.

Sent down for concurrence.

Mr. STEVENS, from the Committee on the Judiciary, on bill (S. 26) amending chapter 124 of the public laws of the year 1876, relating to warehouses, reported that the same ought to pass.

Mr. NEALLEY, from the Penobscot County Delegation, on bill (S. 70) to establish the salary of the clerk of courts for the county of Penobscot, reported that the same ought to pass.

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 bills and resolve :

H. R. 45. Bill to extend the time for organization of the Calais Railroad Company, incorporated by chapter 532 of the private laws of 1874 ;

\*261 \*H. R. 80. Bill to ratify, confirm and make valid the action of the city of Ellsworth, providing for the funding of its city debt ;

H. R. 82. Bill to restrict fishing in Sanborn Brothers' pond in Baldwin ;

H. R. 120. Bill to amend an act entitled "an act to regulate the shad and alewife fishery in the town of Warren, in the county of Lincoln," passed March 6, 1802 ;

H. R. 122. Bill to incorporate the Maine Rifle Club ;

H. R. 53. Resolve making valid the records of the First Christian Society of Saco ;

Which were each read a second time and passed to be engrossed in concurrence.

The same Committee also reported the following bill :

H. R. 121. Bill to amend an act to regulate and protect fisheries and propagation of fish, which was read a second time, and

On motion by Mr. MARTIN,

*Ordered*, That it lie on the table, and that Wednesday next be assigned for its further consideration.

The same Committee also reported the following resolve :

H. R. 54. Resolve in favor of the town of Madawaska, which was read a second time, and

On motion by Mr. LEARNED,

*Resolved*, That it be indefinitely postponed.

Sent down for concurrence.

The same Committee also reported the following resolve :

H. R. 34. Resolve in favor of compiling and printing \* school laws, which was read a second time. \*262

Mr. PRINCE moved that the resolve be indefinitely postponed, and pending this motion,

On motion by Mr. BRAGDON,

*Ordered*, That it lie on the table.

The same Committee also reported the following bill :

S. 61. Bill to amend chapter 200 of the public laws of 1877, relating to mischievous dogs, which was read a second time, and

On motion by Mr. DRAKE,

*Ordered*, That it lie on the table, and that Wednesday next be assigned for its consideration.

The same Committee also reported the following bills :

S. 19. Bill to incorporate the Presumpscot Water Power Company ;

S. 58. Bill to incorporate the Machiasport and Machias Telegraph Company ;

S. 71. Bill to amend the charter of the city of Augusta ;

S. 72. Bill providing for a canal at the head waters of Presumpscot river ;

Which were each read a second time and passed to be engrossed.

Sent down for concurrence.

On motion by Mr. BAILEY, at 54 minutes past 5 o'clock P. M.,

The Senate adjourned.

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\* TUESDAY, FEBRUARY 12, 1878.

Senate met according to adjournment.

Prayer by Rev. Mr. UPJOHN of Augusta.

On motion by Mr. TOLMAN,

*Ordered*, That the reading of the Journal of yesterday be omitted.

Order from the House :

The Senate concurring, that the House adjourn on Friday the 15th, without day, came up passed, and

On motion by Mr. BAILEY,

*Ordered*, That it lie on the table.

Papers from the House :

H. R. 130. Bill to repeal chapter 60 of the public laws of 1862, entitled "an act relating to the fees for serving subpoenas," was referred to the Committee on Legal Affairs in concurrence.

Report of the Committee on Mercantile Affairs and Insurance, on bill (S. 39) additional to chapter 49 of the revised statutes, relating to life insurance, that the same ought to pass ;

Report of the Committee on Commerce, on the petition of Geo.

Tolman and others, submitting a bill (H. R. 131) to incorporate the Deer Isle and Sedgwick \*Steam Ferry Company ;

Report of the Committee on Interior Waters, on the petition of Nathan Perry and others, submitting a bill (H. R. 132) to extend the charter of the Aroostook Steamboat Company ;

Report of the Committee on State Lands and State Roads, on the petition of O. W. Davis, Jr., for deed of lot No. 19 in Wade plantation, submitting (H. R. 64) resolve in favor of O. W. Davis, Jr. ;

Were accepted in concurrence, the bills and resolves each read once, and to-morrow assigned for their second reading.

H. R. 112. Bill to amend section 12 of chapter 122 of the revised statutes, relating to corrupt agreements by attorneys and

others, passed to be engrossed by the Senate, and sent down, came back recommitted by the House to the Committee on the Judiciary, and was recommitted in concurrence.

Mr. BURLEIGH moved to reconsider the vote whereby the Senate indefinitely postponed (H. R. 54) resolve in favor of the town of Madawaska.

The motion was disagreed to.

Sent down for concurrence.

Mr. COBB, from the Committee on Insane Hospital, to whom was recommitted the bill (S. 73) to locate, erect and carry on a new hospital for the insane, reported the same in a new draft and that it ought to pass.

The report was accepted, the bill read twice, the rules being suspended, and

On motion by Mr. BAILEY.

*Ordered*, That it lie on the table.

Mr. SUMNER, from the Committee on Military Affairs, on the Governor's address, reported (S. 25) resolve \*in \*265 favor of the Military and Naval Asylum at Bath.

Mr. HAYNES, from the Committee on the Judiciary, on the memorial of H. M. Plaisted and F. H. Appleton, reported (S. 26) resolve providing for the purchase and distribution of Plaisted and Appleton's Digest of the Maine Reports.

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

Mr. STEVENS, by leave, presented a bill (S. 74) additional to an act to facilitate the prompt administration of justice by establishing a Superior Court in Kennebec county, which was laid over to be printed under the Joint Rule.

Mr. PRINCE, from the Committee on Agriculture ;

Mr. FERGUSON, from the Committee on Library, respectively reported that the said Committees have acted upon all matters referred to them.

The reports were accepted.

Sent down for concurrence.

The Committee on Bills in the Second Reading reported the following bills and resolves :

H. R. 1. Bill to prevent the throwing of refuse lumber into Patten's Pond stream in Surry, Hancock county ;

H. R. 2. Bill to provide for the improvement of Souedehunk stream for log driving ;

H. R. 124. Bill to authorize Abial D. Knapp and Woodbury S. Knapp to navigate Androscoggin pond and Dead river in the towns of Wayne and Leeds, Wing's pond in Wayne, Lovejoy's pond in Wayne, Readfield and Fayette, Crotched pond in Readfield, Fayette and Mt. Vernon, by steam ;

H. R. 125. Bill for the protection of sturgeon in the waters of the Kennebec river and its tributaries ;

\*266 \*H. R. 126. Bill to amend chapter 258 of the public laws of 1874, entitled "an act relating to taxation of railroad companies ;"

H. R. 127. Bill to make valid the acts of the Lyndon Union Meeting-house Association of Caribou.

H. R. 128. Bill to set off a part of the town of Parkman in the county of Piscataquis, and annex the same to the town of Guilford in said county ;

H. R. 129. Bill to set off certain property from Oxford Village Fire Engine Corporation ;

H. R. 58. Resolve relating to the claims of Peter Murphy and Thomas Kennedy ;

H. R. 59. Resolve laying a tax on the several counties of the State ;

H. R. 60. Resolve authorizing the appointment of a delegate to the International Prison Congress ;

Which were each read a second time and passed to be engrossed in concurrence.

The same Committee also reported the following resolve :

H. R. 31. Resolve relating to military property, which was read a second time, and

On motion by Mr. NEALLEY,

*Resolved*, That it be indefinitely postponed.

Sent down for concurrence.

The same Committee also reported the following resolve :

S. 23. Resolve in favor of St. Elizabeth Orphan Asylum of Portland, which was read a second time, and

On motion by Mr. SUMNER,

*Ordered*, That it lie on the table.

The same Committee also reported the following bill :

\* S. 41. Bill to repeal chapter 178 of the public laws of 1877, in relation to demurrers, which was read a second time, and

On motion of Mr. MORRISON,

*Ordered*, That it lie on the table.

The same Committee also reported the following bill :

H. R. 8. Bill to amend section 48, chapter 18 of the revised statutes, relating to highway taxes, which was read a second time, and

On motion by Mr. PHILLIPS,

*Resolved*, That it be indefinitely postponed.

Sent down for concurrence.

The same Committee also reported the following resolve :

S. 16. Resolve in favor of the State Prison, which was read a second time, and

On motion by Mr. MARTIN,

*Ordered*, That it lie on the table and that to-morrow be assigned for its consideration.

The same Committee also reported the following bill :

S. 64. Bill repealing the several acts establishing the school mill fund for the support of common schools, which was read a second time.

Mr. MARTIN proposed an amendment to amend as follows :

Strike out the word "repealed" in section one, and insert the words "*suspended for one year*," and pending its adoption,

On motion by Mr. PHILLIPS,

*Ordered*, That the bill lie on the table.

\* The same Committee also reported the following bill : \*268

S. 65. Bill to amend section 10 of chapter 120 of the public laws of the year 1876, entitled "an act to authorize the formation of railroad corporations," which was read a second time.

Mr. COBB proposed to amend by striking out the word "twelve" before "hundred," and insert the word "*ten*," and pending its adoption,

On motion by Mr. PHILLIPS,

*Ordered*, That the bill lie on the table.

The same Committee also reported the following bill :

S. 67. Bill for a uniform rule in the scale of logs and timber, which was read a second time, and

On motion by Mr. HAYNES,

*Ordered*, That it lie on the table.

The same Committee also reported the following bill :

H. R. 10. Bill to prevent the throwing of edgings, sawdust and other refuse into the waters of the harbor of Wiscasset, which was read a second time, and

On motion by Mr. HAYNES,

*Ordered*, That it lie on the table.

The same Committee also reported the following resolves and bills :

S. 17. Resolve in aid of building a bridge over Fish river in Eagle Lake plantation ;

S. 18. Resolve in favor of S. W. Stratton ;

H. R. 20. Resolve authorizing the location of a land certificate;

S. 15. Resolve in favor of the town of Deering ;

S. 20. Resolve relating to Perham plantation ;

\*269 S. 21. Resolve for repairing bridge over Molunkus \*stream in Macwahoc plantation ;

H. R. 66. Bill additional to chapter 19 of the public laws of the year 1875, relating to the taxation of railroad companies ;

S. 66. Bill to amend chapter 204 of the public laws of the year 1874, entitled "an act relating to ways across railroads;"

S. 68. Bill to more fully carry out the proviso of section 10 of the act of Congress, chapter 177 of the acts of 1868, making compensation for the lands assigned by Maine to settlers ;

Which were each 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 and resolves :

H. R. 53. An act to amend chapter 185 of the public laws of 1877, relating to life insurance ;

H. R. 95. An act to change the name of Rufus Edwin Bubier ;

H. R. 98. An act to change the names of Amelia and Adelia Bullock ;

H. R. 107. An act to amend section 50 of chapter 40 of the revised statutes, relating to migratory fishes in Damariscotta river;

H. R. 108. An act to make valid the doings of the town of Limestone in the county of Aroostook;

S. 8. Resolve in favor of George F. Foster of Portland;

H. R. 27. Resolve in favor of the towns of Blanchard and Shirley;

S. 27. An act to amend section 26 of chapter 90 of the public laws of 1876, in relation to lime rock and slate;

\*S. 46. An act for the protection of smelts in Baga- \*270  
duce river and tributaries in the county of Hancock;

S. 57. An act to amend chapter 141 of the public laws of 1876, relating to the settlement of the public lands;

H. R. 17. An act to vest the franchise and property of the proprietors of Merrymeeting bridge in the inhabitants of the county of Sagadahoc;

H. R. 32. An act relating to coroners;

H. R. 49. An act to encourage the development of the mining interests of the State;

H. R. 60. An act to amend section 6, chapter 60 of the revised statutes, relating to actions of divorce;

H. R. 86. An act to amend section 1 of chapter 58 of the public laws of 1876, relating to auctioneers;

H. R. 100. An act for the protection and preservation of bass in the waters of Winnegance creek;

H. R. 109. An act to prohibit the taking of fish from Withee's pond and tributaries in the town of Dover;

H. R. 115. An act to amend chapter 19, section 10, of the revised statutes, relating to the law of roads;

H. R. 114. An act to abolish the organization of plantation No. 6, in the county of Franklin;

S. 14. Resolve in relation to the documentary history of the State of Maine;

H. R. 19. Resolve in favor of the town of Maysville;

H. R. 35. Resolve making appropriations for the Penobscot tribe of Indians;

H. R. 37. Resolve in favor of Freeman Hayden;

H. R. 38. Resolve in favor of Fred Barker;

H. R. 39. Resolve authorizing the conveyance of a lot of land in Crystal plantation ;

H. R. 40. Resolve in favor of Shepard I. Higgins ;

\*271 \*H. R. 41. Resolve in favor of William Reed ;

H. R. 42. Resolve in favor of Ezekiel LeVasseur ;

H. R. 43. Resolve in favor of John S. Arnold ;

H. R. 44. Resolve in favor of Cyrus T. Daniels ;

H. R. 45. Resolve in favor of Charles C. Libby ;

H. R. 46. Resolve in favor of Lydia A. Daniels ;

H. R. 47. Resolve in favor of L. D. and H. P. Todd ;

H. R. 48. Resolve in favor of James E. Holmes ;

H. R. 49. Resolve in favor of Jeremiah Crouse ;

H. R. 50. Resolve in favor of Henry C. Spooner ;

H. R. 51. Resolve in favor of Charles F. Collins ;

H. R. 56. Resolve in favor of the Joint Standing Committee on Financial Affairs ;

Which several bills were each passed to be enacted and the resolves 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.

Mr. TOLMAN presented the following :

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

Mr. PHILLIPS moved to amend the order by striking out the words "half-past two," and insert "three."

The amendment was agreed to and the order passed.

The Senate proceeded to the consideration of the report of the Committee on Senatorial Votes for the Sixteenth District, specially assigned for to-day.

The question being on the acceptance of the report,

Mr. MARTIN moved to amend the report of the majority  
\*272 (Senate printed Doc. No. 37) by substituting \*therefor the report of the minority (Senate printed Doc. No. 36) and pending this question, after discussion,

On motion by Mr. PHILLIPS, at 5 minutes before 1 o'clock P. M.,

The Senate adjourned.

## AFTERNOON—THREE O'CLOCK.

Senate met according to adjournment.

The Senate resumed consideration of the report of the Committee on Senatorial Votes for the Sixteenth District, under discussion at adjournment, and pending the discussion of the motion by Mr. Martin,

On motion by Mr. PHILLIPS, at 45 minutes past 5 o'clock P. M.,

The Senate adjourned.

## \* WEDNESDAY, FEBRUARY 13, 1878. \*273

Senate met according to adjournment.

Prayer by Rev. Mr. PENNEY of Augusta.

On motion by Mr. WOODWARD,

*Ordered*, That the reading of the Journal of yesterday be omitted.

Papers from the House:

H. R. 133. Bill to prevent the taking of pickerel in the Torsey pond and stream in the towns of Mt. Vernon and Readfield, and the Lovejoy pond and stream in the towns of Fayette, Readfield and Wayne, was referred to the next Legislature in concurrence.

H. R. 134. Bill to make valid the doings of Oliver B. Trott as a justice of the peace and quorum, was referred to the Committee on the Judiciary in concurrence.

Report of the Committee on Education, on an order relating to securing the objects of chapter 380 of the public laws of 1873, submitting a bill (H. R. 135) to amend chapter 380 of the public laws of 1873, relating to schools in Madawaska territory;

Report of the same Committee, submitting a bill (H. R. 136) to provide schools for the training of teachers in Madawaska territory;

Report of the same Committee, on an order, \*submitting \*274 a bill (H. R. 137) to establish an additional normal school;

Were accepted in concurrence, the bills each read once, and tomorrow assigned for their second reading.

Report of the Committee on Interior Waters, on the petition of Daniel C. Hall and others, submitting a bill (H. R. 138) an act to incorporate the Fairfield Boom Company, was accepted in concurrence, the bill read once, and

On motion by Mr. BOARDMAN,

*Resolved*, That it be indefinitely postponed.

Sent down for concurrence.

Report of the same Committee, on the petition of C. A. Blake and others, submitting a bill (H. R. 139) to prevent the throwing of refuse into the tributaries of Wilson pond ;

Report of the Committee on the Judiciary, on the petition of C. B. Rounds and others for an amendment of the charter of the city of Calais, relating to the municipal court, submitting a bill (H. R. 140) to amend an act entitled "an act to incorporate the city of Calais ;"

Report of the same Committee, on an order relating to so amending section 30, chapter 6 of the revised statutes, that said section shall apply to mining and smelting corporations, submitting a bill (H. R. 141) to amend section 30 of chapter 6 of the revised statutes, relating to taxation of corporate property ;

Report of the Committee on Interior Waters, on bill (S. 20) to amend chapter 363 of the special laws of 1877, relating to the throwing of refuse into the Piscataquis river, that the same ought to pass ;

\*275 \* Report of the Committee on Ways and Bridges, on bill (H. R. 39) to amend chapter 199 of the public laws of 1877, entitled "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," with the same in a new draft, under title of an act to amend section 39 of chapter 18 of the revised statutes, relating to ways, and that it ought to pass ;

Report of the Committee on the Judiciary, on bill (H. R. 50) to encourage the provision of means for the extinguishment of fires, with the same in a new draft and that it ought to pass ;

Report of the Committee on Legal Affairs, on bill (H. R. 57) relating to apprenticing of boys in the Reform School, that the same ought to pass ;

Report of the Committee on Banks and Banking, on bill (H. R. 71) additional to chapter 218 of the acts of 1877, entitled "an act to revise and consolidate the laws relating to the government, powers, duties, privileges and liabilities of savings banks and institutions for savings, that the same ought to pass ;

Report of the Committee on Library, on (H. R. 52) resolve in favor of Portland Public Library, that the same ought to pass ;

Were severally accepted in concurrence, the bills and resolve 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 Soldiers' Orphans' Home at Bath, which was read, and

On motion by Mr. SUMNER,

*Ordered*, That the report be referred to the \*Committee \*276 on Military Affairs.

Sent down for concurrence.

The following printed bills and resolve :

S. 74. Bill additional to an act to facilitate the prompt administration of justice by establishing a Superior Court in Kennebec county ;

S. 24. Resolve relating to the State College of Agriculture and the Mechanic Arts ;

S. 26. Bill amending chapter 124 of the public laws of the year 1876, relating to warehouses ;

S. 70. Bill to establish the salary of the clerk of courts for the county of Penobscot ;

Were each read once and to-morrow assigned for their second reading.

On motion by Mr. NASH,

*Ordered*, That when the Senate adjourns it be to meet this afternoon at three o'clock, and that after this day the Senate hold two sessions daily until the close of this fifty-seventh Legislature, the afternoon session to meet at three o'clock.

Mr. SUMNER, from the Committee on Military Affairs, reported that said Committee have acted upon all matters referred to them.

The report was accepted.

Sent down for concurrence.

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

S. 39. Bill additional to chapter 49 of the revised statutes, relating to life insurance ;

H. R. 131. Bill to incorporate the Deer Isle and Sedgwick Steam Ferry Company ;

H. R. 132. Bill to extend the charter of the Aroostook Steamboat Company ;

\*277 Which were each read a second time and passed \*to be engrossed in concurrence.

The same Committee also reported the following resolve :

H. R. 64. Resolve in favor of O. W. Davis, Jr., which was read a second time.

House amendment " A " was agreed to and the resolve, as amended, passed to be engrossed in concurrence.

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

S. 38. An act to facilitate the transfer to the United States of the title to the Antietam National Cemetery, in the State of Maryland ;

S. 47. An act to amend section 2 of chapter 267 of the public laws of 1873, relating to rents of island shores ;

S. 56. An act to create a lien on hemlock bark ;

H. R. 4. An act to incorporate the Square Pond Reservoir Company ;

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 Senate resumed consideration of the report of the Committee on Senatorial Votes for the Sixteenth Senatorial District, under consideration at adjournment.

The question being on the motion by Mr. Martin, that the report of the majority be amended by substituting therefor the report of the minority, pending discussion,

On motion by Mr. MOULTON, at 1 o'clock P. M.,

\*278 \* The Senate adjourned.

## AFTERNOON—THREE O'CLOCK.

Senate met according to adjournment.

The Senate resumed consideration of the report of the Committee on Senatorial Votes for the Sixteenth Senatorial District, and

The question being on the motion to amend the report by substituting therefor the report of the minority of said committee, it was determined in the negative, { Yeas ..... 12  
Nays ..... 17

On motion by Mr. NASH,

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

Those who voted in the affirmative are :

Messrs. Bailey, Bartlett, Cobb, Davis of Cumberland, Hobson, Martin, Moody, Nash, Prince, Rogers, Stevens, Woodward—12.

Those who voted in the negative are :

Messrs. Boardman, Bragdon, Davis of Penobscot, Drake, Ferguson, Grindle, Hassell, Haynes, Irish, Learned, Morrison, Moulton, Nealley, Phillips, Sumner, Tolman, Totman—17.

So the motion was disagreed to.

The report was accepted.

On motion by Mr. PHILLIPS, at 45 minutes past 5 o'clock P. M.,

The Senate adjourned.

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\* THURSDAY, FEBRUARY 14, 1878.

Senate met according to adjournment.

Prayer by Rev. Mr. UPJOHN of Augusta.

On motion by Mr. TOLMAN,

*Ordered*, That the reading of the Journal of yesterday be omitted.

Papers from the House :

Report of the Committee on Claims, on (H. R. 7) resolve in favor of the St. Croix and Penobscot Railway, that the same be referred to the next Legislature ;

Report of the Committee on Education, on bill (H. R. 118) to provide for the more efficient management of the public schools, that the same ought not to pass ;

Report of the Committee on the Judiciary, on bill (H. R. 52) additional to chapter 87 of the revised statutes, relating to actions by and against executors and administrators, that the same ought not to pass ;

Report of the Committee on Mercantile Affairs and Insurance, on bill (H. R. 41) authorizing George M. Miles to extend his wharf and erect wharves in the tide waters at Rutherford's island in the town of Bristol, county of Lincoln, that the same

\*280 \* ought not to pass ;

Were severally accepted in concurrence.

Report of the Committee on Claims, on the petition of John Carver and George S. Ames, for pay for Lassell's island, submitting (H. R. 65) resolve in favor of John Carver and George S. Ames ;

Report of the same Committee, on the petition of Major Kelley and others, submitting (H. R. 66) resolve to abate the State tax in Washington plantation in Franklin county for the years 1875, 1876 and 1877 ;

Report of the same Committee, on the petition of George W. Black, submitting (H. R. 67) resolve in favor of George W. Black ;

Report of the Committee on Indian Affairs, on the Governor's address, submitting (H. R. 68) resolve making an appropriation for the Penobscot tribe of Indians, for repairs on chapel on Old-town island ;

Report of the Committee on Reform School, on the annual report of the Industrial School for Girls, submitting (H. R. 69) resolve in favor of the Maine Industrial School for Girls ;

Report of the Committee on State Lands and State Roads, on the petition of W. D. Orr, (from the files of 1877,) submitting (H. R. 70) resolve in favor of William D. Orr ;

Report of the same Committee, on an order submitting the following resolves :

H. R. 71. Resolve in favor of township No. 13, range 6, west from the east line of the State, known as Portage Lake plantation ;

H. R. 72. Resolve in favor of township No. 12, range 5, west from the east line of the State, known as Sheridan plantation ;

\* Report of the same Committee, on the petition of the \*281 town of Caribou, submitting (H. R. 73) resolve in aid of building a bridge in the town of Caribou ;

Report of the same Committee, on the petition of the town of Mapleton, submitting (H. R. 74) resolve in aid of building a bridge in Mapleton plantation ;

Report of the same Committee, on an order relating to the claim of the assignee of Gowen Wilson, submitting (H. R. 75) resolve in favor of Jeanne M. Strickland ;

Report of the same Committee, on the petition of Albion W. Stratton, submitting (H. R. 76) resolve in favor of Albion W. Stratton ;

Report of the Committee on Ways and Bridges, on the petition of William M. Cyr and others, submitting (H. R. 77) resolve in favor of building a bridge in township No. 17, range 8, in Aroostook county ;

Report of the same Committee, on the petition of Jacob Kershner and others, submitting (H. R. 78) resolve in aid of township No. 3, range 3, and township No. 4, range 3, in Somerset county ;

Report of the same Committee, on (H. R. 3) resolve granting two lots of land in the north half of township No. 17, range 6, with the same in a new draft, under title of resolve granting two

lots of land to William Brown of Eagle Lake plantation, under certain conditions ;

Report of the same Committee, on (H. R. 21) resolve in favor of Ida Brown, that the same ought to pass.

Were severally accepted in concurrence, the resolves each \*282 read once, and this afternoon assigned \* for their second reading.

Report of the Committee on Military Affairs, on (H. R. 57) resolve for the appointment of a commission to revise the militia laws, that the same ought to pass, was accepted, the resolve read once, and indefinitely postponed in concurrence.

Subsequently a message was received from the House, by Mr. Smith, its Clerk, requesting the return to that branch of the foregoing resolve, and

*Ordered*, That the Secretary be directed to transmit the resolve to the House.

The resolve was sent down.

Report of the Committee on Legal Affairs, on bill (H. R. 16) to amend section 7, chapter 4 of the revised statutes, relating to voting lists, with the same in a new draft, and that it ought to pass ;

Report of the Committee on Railroads, on the petition of the mayor and aldermen of Bath, submitting a bill (H. R. 142) to amend an act to authorize the Maine Central Railroad Company to discontinue the use of a portion of its track ;

Were each accepted in concurrence, the bills each read once, and this afternoon assigned for their second reading.

Report of the Committee on Fisheries, on the petition of Thomas B. Stover and others for legislation restraining the taking of porgies or menhaden within the bays and inlets of the State, that the petitioners have leave to withdraw, came from the House amended by substituting the report of the minority of said Committee, submitting a bill (H. R. 143) to regulate and protect the shore fisheries.

The amendment was agreed to and the bill read twice, the rules being suspended.

\*283 House amendment \* " A " was agreed to.

Mr. MARTIN proposed an amendment, to add the following :

*Sect. —. This act shall take effect one year from the date of its approval.*

And pending its adoption,

On motion by Mr. SUMNER,

*Ordered*, That the bill lie on the table.

The following printed resolves :

S. 25. Resolve in favor of the military and naval asylum at Bath ;

S. 26. Resolve providing for the purchase and distribution of Plaisted and Appleton's Digest of Maine Reports ;

Were each read once, and this afternoon assigned for their second reading.

On motion by Mr. PHILLIPS,

*Ordered*, That the Secretary of the Senate be directed to make up the pay of Edmund Madigan, contestant for a seat in the Senate from the Sixteenth Senatorial District, to the end of the session, with usual mileage.

Mr. NEALLEY presented a bill (S. 75) additional to chapter 5 of the revised statutes, relating to the public lands, and

On motion by the same Senator,

*Ordered*, That it lie on the table and be printed.

Mr. NEALLEY, from the Committee on Mercantile Affairs and Insurance ;

Mr. TOTMAN, from the Committee on Public Buildings,—respectively reported that said committees have acted upon all matters referred to them.

These reports were accepted.

Sent down for concurrence.

\* Mr. HAYNES, from the Committee on the Judiciary, \*284 on bill (S. 6) to incorporate the Springvale Aqueduct Company, reported the same in a new draft, and that it ought to pass.

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

Mr. FERGUSON, from the Committee on Education, on an order relating to reducing the per capita school tax from eighty to seventy cents, reported that legislation thereon is inexpedient ;



Those who voted in the negative are :

Messrs. Bailey, Bartlett, Boardman, Bragdon, Burleigh, Davis of Cumberland, Davis of Penobscot, Ferguson, Hobson, Irish, Martin, Moody, Moulton, Nash, Phillips, Prince, Rogers, Stevens, Sumner, Totman and Woodward—21.

\*So the amendment was disagreed to.

\*286

On motion by Mr. MORRISON,

That the bill be referred to the next Legislature, it was determined in the negative, { Yeas ..... 7  
Nays..... 20

Mr. BAILEY asked to be and was excused from voting.

On motion by Mr. MORRISON,

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

Those who voted in the affirmative are :

Messrs. Grindle, Irish, Martin, Moody, Morrison, Nealley, Tolman—7.

Those who voted in the negative are :

Messrs. Bartlett, Boardman, Bragdon, Burleigh, Cobb, Davis of Cumberland, Davis of Penobscot, Drake, Ferguson, Haynes, Hobson, Moulton, Nash, Phillips, Prince, Rogers, Stevens, Sumner, Totman, Woodward—20.

So the motion was disagreed to.

The bill passed to be engrossed in concurrence.

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

H. R. 39. Bill to amend section 39 of chapter 18 of the revised statutes, relating to ways, which was read a second time.

Mr. PHILLIPS proposed an amendment marked "A," to strike out section 2, which was agreed to, and the bill, as amended, passed to be engrossed.

Sent down for concurrence.

The same Committee also reported the following bill :

H. R. 139. Bill to prevent the throwing of refuse into the tributaries of Wilson pond, which was read \*a second \*287 time.

Mr. PHILLIPS proposed an amendment 'A,' to strike out

section 3, to wit: *This act shall take effect when approved*, which was agreed to, and the bill as amended passed to be engrossed.

Sent down for concurrence.

The same Committee also reported the following bills and resolve:

H. R. 71. Bill additional to chapter 218 of the acts of 1877, entitled an act to revise and consolidate the laws relating to the government, powers, duties, privileges and liabilities of savings banks and institutions for savings;

H. R. 57. Bill relating to apprenticing of boys in Reform School;

H. R. 135. Bill to amend chapter 380 of the private and special laws of 1873, relating to schools in Madawaska territory;

H. R. 140. Bill to amend an act entitled "an act to incorporate the city of Calais;"

H. R. 141. Bill to amend section 30 of chapter 6 of the revised statutes, relating to taxation of corporate property;

H. R. 52. Resolve in favor of Portland Public Library;

Which were each read a second time and passed to be engrossed in concurrence.

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

H. R. 65. Resolve in favor of John Carver and George S. Ames;

H. R. 66. Resolve to abate the State tax in Washington plantation in Franklin county, for the years 1875, 1876 and 1877;

\*288 \* H. R. 67. Resolve in favor of George W. Black;

H. R. 68. Resolve making an appropriation for the Penobscot tribe of Indians, for repairs on chapel on Oldtown island;

H. R. 70. Resolve in favor of William D. Orr;

Which were each read a second time and passed to be engrossed in concurrence.

The same Committee also reported the following resolve:

H. R. 74. Resolve in aid of building a bridge in Mapleton plantation, which was read a second time, and,

On motion by Mr. MARTIN,

*Resolved*, That it be indefinitely postponed.

Sent down for concurrence.

The same Committee also reported the following resolves :

H. R. 75. Resolve in favor of Jeanne M. Strickland ;

H. R. 76. Resolve in favor of Albion W. Stratton ;

Which were each read a second time and passed to be engrossed in concurrence.

The same Committee also reported the following resolve :

H. R. 77. Resolve in favor of building a bridge in township 17, range 8, in Aroostook county, which was read a second time, and,

On motion by Mr. BURLEIGH,

*Ordered*, That it lie on the table.

The same Committee also reported the following resolve and bill :

H. R. 21. Resolve in favor of Ida Brown ;

H. R. 142. Bill to amend an act to authorize the Maine Central Railroad Company to discontinue the use of a portion of its track ;

\* Which were each read a second time and passed to be \*289 engrossed in concurrence.

The same Committee also reported the following resolve :

H. R. 69. Resolve in favor of the Maine Industrial School for Girls, which was read a second time, House amendment "A" was agreed to, and the resolve as amended passed to be engrossed in concurrence.

Subsequently, Mr. IRISH moved to reconsider the foregoing vote, and,

On motion by Mr. PHILLIPS,

This motion was laid on the table, and assigned for to-morrow at 11 o'clock for its consideration.

The same Committee also reported the following resolve :

H. R. 71. Resolve in favor of township number 13, range 6, west from the east line of the State, known as Portage Lake plantation, which was read a second time, House amendment "A" was agreed to, and the resolve as amended passed to be engrossed in concurrence.

The same Committee also reported the following resolve :

H. R. 72. Resolve in favor of township No. 12, range 5, west from the east line of the State, known as Sheridan plantation,

which was read a second time, House amendment "A" was agreed to, and the resolve as amended passed to be engrossed in concurrence.

The same Committee also reported the following resolve :

H. R. 73. Resolve in aid of building a bridge in the town of Caribou, which was read a second time, House amendment "A" was agreed to, and,

\*290 \* On motion by Mr. BURLEIGH,

*Ordered*, That the resolve lie on the table.

The same Committee also reported the following resolve :

H. R. 3. Resolve granting two lots of land to William Brown of Eagle Lake plantation, under certain conditions, which was read a second time, House amendment "A" was agreed to, and the resolve as amended passed to be engrossed in concurrence.

The same Committee also reported the following bill :

H. R. 16. Bill to amend section 7, chapter 4, of the revised statutes, relating to voting lists, which was read a second time, House amendment "A" was agreed to.

Mr. PRINCE proposed an amendment marked "B," and pending its adoption,

On motion by Mr. BAILEY,

*Ordered*, That it lie on the table.

The same Committee also reported the following resolve :

H. R. 78. Resolve in aid of township No. 3, range 3, and township No. 4, range 3, in Somerset county, which was read a second time and indefinitely postponed in concurrence.

The same Committee also reported the following bill :

H. R. 136. Bill to provide schools for the training of teachers in Madawaska territory, which was read a second time, and

On motion by Mr. Nealley,

*Ordered*, That it lie on the table.

The same Committee also reported the following bill :

\*291 \* S. 20. Bill to amend chapter 363 of the special laws of 1877, relating to the throwing of refuse into the Piscataquis river, which was read a second time, and

On motion by Mr. DAVIS of Penobscot,

*Ordered*, That it lie on the table.

The same Committee also reported the following bills and resolves :

S. 74. Bill additional to an act to facilitate the prompt administration of justice by establishing a Superior Court in Kennebec county ;

S. 24. Resolve relating to the State College of Agriculture and the Mechanic Arts ;

S. 26. Bill amending chapter 124 of the public laws of the year 1876, relating to warehouses ;

S. 70. Bill to establish the salary of the clerk of courts for the county of Penobscot ;

S. 6. Bill to incorporate the Springvale Aqueduct Company ;

S. 25. Resolve in favor of the Military and Naval Asylum at Bath ;

S. 26. Resolve providing for the purchase and distribution of Plaisted and Appleton's Digest of Maine Reports ;

Which were each read a second time and passed to be engrossed.

Sent down for concurrence.

Mr. DAVIS of Penobscot, from the Committee on the Judiciary, on an order reported a bill (S. 77) to amend chapter 107 of the public laws of 1876, entitled "an act additional to chapter 4 of the revised statutes, relating to elections."

The report was accepted and the bill laid over to be printed under the Joint Rule.

\* Paper from the House :

\*292

Report of the Committee on Indian Affairs, on an order relating to treaty stipulations or obligations with the Passamaquoddy Indians, submitting (H. R. 79) resolve relating to the Passamaquoddy Indians, was accepted, the resolve read and re-committed in concurrence.

On motion by Mr. TOLMAN, at 6 o'clock P. M.,

The Senate adjourned.

FRIDAY, FEBRUARY 15, 1878.

Senate met according to adjournment.

Prayer by Rev. Mr. PENNEY of Augusta.

On motion by Mr. NASH,

*Ordered*, That the reading of the Journal of yesterday be omitted.

Papers from the House :

H. R. 144. Bill to amend section 71 of chapter 51 of the revised statutes, relating to railroad commissioners, was referred to the Committee on Financial Affairs in concurrence.

Report of the Committee on Legal Affairs, on bill (H. R. 89) to repeal chapter 106 of the public laws of 1876, entitled "an \*293 act to amend chapter 30, section \* 9 of the revised statutes, relating to deer," that the same ought not to pass ;

Report of the Committee on Temperance, on bill (H. R. 7) to amend section 5, chapter 204 of the public laws of 1877, (relating to the business of apothecaries) and upon sundry petitions relating thereto, that the bill ought not to pass, and that the petitioners have leave to withdraw ;

Were accepted in concurrence.

Report of the Committee on the Judiciary, on bill (S. 17) to amend section 40, chapter 140 of the revised statutes, relating to the term of imprisonment of convicts in the State prison, with the same in a new draft, and that it ought to pass ;

Report of the same Committee, on bill (H. R. 31) in addition to chapter 51 of the revised statutes, relating to mortgages of corporations, that the same ought to pass ;

Report of the same Committee, on bill (H. R. 68) to amend section 2 of chapter 89 of the revised statutes, relating to reviews, that the same ought to pass ;

Report of the Committee on Claims, on (H. R. 1) resolve in favor of Nathaniel Blake, that the same ought to pass ;

Report of the Committee on the Judiciary, on an order, submitting a bill (H. R. 145) relating to malicious mischief ;

Report of the same Committee, on an order, submitting a bill (H. R. 146) amendatory of section 2, chapter 124 of the public laws of the year 1873, relating to free high schools ;

Report of the same Committee, on an order, submitting a bill (H. R. 147) to amend chapter 234 \* of the public laws \*294 of 1874, concerning tax titles ;

Report of the same Committee, on an order, submitting a bill (H. R. 148) to repeal chapter 149 of the public laws of 1877, relating to executions ;

Report of the same Committee, on the petition of Abner Toothaker and others, submitting a bill (H. R. 149) to amend an act entitled "an act to incorporate the Sandy River Valley Railroad Company ;"

Report of the Committee on Fisheries, on an order relating to restocking the lakes and streams of the State with trout, salmon and black bass, submitting (H. R. 80) resolve making appropriation for the propagation of fish ;

Were severally accepted in concurrence, the bills and resolves each read once and this afternoon assigned for their second reading.

Report of the Committee on Indian Affairs, on the credentials of Peter Salmore, representative of the Passamaquoddy Indians, submitting (H. R. 81) resolve in favor of Peter Salmore, was accepted, the resolve read twice, the rules being suspended, and passed to be engrossed in concurrence.

Report of the Committee on Banks and Banking, on an order relating to lessening the taxation of deposits in savings banks, submitting a bill (H. R. 150) to amend chapter 218 of the public laws of 1877, entitled "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 accepted, the bill read twice, the rules being suspended, and indefinitely postponed in concurrence.

H. R. 13. Resolve in favor of George Cary, Theodore Cary and Jefferson Cary, indefinitely postponed by \*the \*295 Senate, came from the House non-concurred and passed to be engrossed.

The Senate receded and concurred with the House.

The following communication was received from the Governor:

STATE OF MAINE.

EXECUTIVE DEPARTMENT, }  
Augusta, February 13, 1878. }

*To the Senate and House of Representatives:*

I have the honor to transmit herewith the resolutions adopted by the Senate and House of Representatives of the United States upon the occasion of the presentation to Congress, by the State of Maine, of the statue of William King, to be deposited in the National Statuary Hall in the capitol of the United States.

(Signed)

SELDEN CONNOR.

The communication was read, and

On motion by Mr. ROGERS,

*Ordered*, That the resolutions be accepted and spread upon the records of the Senate.

The resolutions are as follows:

Forty-fifth Congress of the United States of America: At the Second Session, begun and held at the city of Washington, on Monday, the third day of December, one thousand eight hundred and seventy-seven.

*Resolved*, by the Senate, (the House of Representatives \*296 concurring,) That the thanks of Congress be \*presented to the Governor, and through him to the people of the State of Maine, for the Statue of William King, whose name is so honorably identified with the early history of that State.

*Resolved*, That this work of art is accepted in the name of the nation, and assigned a place in the old hall of the House of Representatives, already set aside by act of Congress for statues of eminent citizens, and that a copy of this resolution, signed by the President of the Senate and the Speaker of the House of Representatives, be transmitted to the Governor of the State of Maine.

(Signed)

W. A. WHEELER,

Vice-President of the United States and  
President of the Senate.

(Signed)

SAMUEL J. RANDALL,

Speaker of the House of Representatives.

On motion by Mr. IRISH,

The Senate proceeded to the consideration of the motion by that Senator, to reconsider the vote whereby the Senate passed to be engrossed in concurrence (H. R. 69) resolve in favor of the Maine Industrial School for Girls, specially assigned for eleven o'clock.

The vote was reconsidered.

Mr. BOARDMAN proposed to amend the resolve by adding thereto the following:

*Provided that the sum be paid from the school fund of the State.*

The amendment was disagreed to.

The question recurring on the passage of the resolve to be engrossed in concurrence, it was determined in the affirmative.

\* On motion by Mr. BRAGDON,

\*297

S. 48. Bill authorizing the location of a highway over the tide waters of Georges river in Thomaston, was taken from the table.

The Senate receded from its vote passing the bill to be engrossed.

Mr. MARTIN proposed an amendment marked "A," to amend by adding the following:

*And provided also, that the entire expense of damage, location, establishment, construction and maintenance of the highway provided for in this act, shall be borne by the town of Thomaston, and that the county of Knox shall in no way be held responsible.*

The amendment was agreed to.

Mr. DAVIS proposed an amendment marked "B," to strike out the word "highway" wherever it occurs and insert the word "way."

The amendment was agreed to.

The Senate non-concurred with the House in the indefinite postponement of the bill, and the bill as amended passed to be engrossed.

Sent down for concurrence.

On motion by Mr. BRAGDON,

H. R. 34. Resolve in favor of compiling and printing the school laws, was taken from the table and passed to be engrossed in concurrence.

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

S. 15. An act to incorporate the Bangor Board of Trade.

S. 62. An act to prevent the taking of fish from Dexter  
\*298 pond in the county of Penobscot, for the term \* of three  
years ;

S. 63. An act to amend chapter 120 of the special laws of  
1872, entitled "an act to incorporate the Penobscot Central Rail-  
road Company ;"

H. R. 45. An act to extend the time for organization of the  
Calais Railroad Company, incorporated by chapter 532 of the pri-  
vate laws of 1874 ;

H. R. 80. An act to ratify, confirm and make valid the action  
of the city of Ellsworth providing for the funding of its city debt ;

H. R. 82. An act to restrict fishing in Sanborn Brothers' pond  
in Baldwin ;

H. R. 120. An act to amend an act entitled "an act to regulate  
the shad and alewife fishery in the town of Warren in the county  
of Lincoln, passed March 6, 1802 ;"

H. R. 122. An act to incorporate the Maine Rifle Club ;

H. R. 53. Resolve making valid the records of the First Chris-  
tian Society of Saco ;

H. R. 61. Resolve in favor of the Joint Standing Committee on  
Agriculture ;

H. R. 1. An act to prevent the throwing of refuse lumber into  
Patten's pond stream in Surry, Hancock county ;

H. R. 2. An act to provide for the improvement of navigation  
of Souedehunk stream for log driving ;

H. R. 124. An act to authorize Abial D. Knapp and Woodbury  
S. Knapp to navigate Androscoggin pond and Dead river in the  
towns of Wayne and Leeds, Wing's pond in Wayne, Lovejoy's  
pond in Wayne, Readfield and Fayette, Crotched pond in Read-  
field, Fayette and Mt. Vernon, by steam ;

\*299 H. R. 125. An act for the protection of sturgeon \* in the  
waters of the Kennebec river and its tributaries ;

H. R. 126. An act to amend chapter 258 of the public laws of  
1874, entitled "an act relating to taxation of railroad companies ;"

H. R. 127. An act to make valid the acts of the Lyndon Union  
Meeting-house Association of Caribou ;

H. R. 128. An act to set off a part of the town of Parkman in  
the county of Piscataquis, and annex the same to the town of  
Guilford in said county ;

H. R. 129. An act to set off certain property from Oxford Village Fire Engine Corporation.

H. R. 58. Resolve relating to the claims of Peter Murphy and Thomas Kennedy ;

H. R. 59. Resolve laying a tax on the several counties of the State ;

H. R. 60. Resolve authorizing the appointment of a delegate to the International Prison Congress ;

H. R. 50. An act to encourage the provision of means for the extinguishment of fires ;

H. R. 111. An act to incorporate the St. Croix Lake Dam Company ;

Which several bills were each passed to be enacted, and the resolves were finally passed in concurrence. And having been signed by the President, were by the Secretary presented to the Governor for his approval.

On motion by Mr. SUMNER,

H. R. 143. Bill to regulate and protect the shore fisheries, was taken from the table.

The question being upon the adoption of the amendment proposed by Mr. Martin, it was determined in the affirmative.

\* Mr. DAVIS of Cumberland proposed an amendment \*300 marked "C," to amend section one, so that said section shall read :

SECTION 1. The taking of mackerel, herring, pogies or menhaden, or fishing therefor by the use of purse and drag seines, is hereby prohibited in all of the small bays, inlets, harbors or rivers of this State, where any entrance to the same, or any part thereof from any land to land is not more than one mile in width, under a penalty upon the master or person in charge of such seine or seines, of not less than one hundred nor more than three hundred dollars, and a lien upon the vessel or steamer and boats is had therefor.

The amendment was agreed to, and the bill as amended passed to be engrossed.

Sent down for concurrence.

On motion by Mr. BAILEY,

S. 31. Bill additional relative to the Boston and Maine Railroad, was taken from the table.

The Senate receded and the bill was referred to the next Legislature with order of notice, in concurrence.

On motion by Mr. PHILLIPS,

H. R. 101. Bill to prohibit the taking of fish from Field's pond in the town of Orrington, and from Brewer's pond in the towns of Orrington and Brewer, was taken from the table and passed to be engrossed in concurrence.

On motion by Mr. ROGERS,

H. R. 6. Resolve providing for payment for additional services and expenses imposed upon the bank examiner by the savings bank act, approved February 9, 1877, was taken from the table and passed to be engrossed in concurrence.

\*301 On motion by Mr. FERGUSON, \* at one o'clock P. M.,  
The Senate adjourned.

#### AFTERNOON—THREE O'CLOCK.

Papers from the House :

Report of the Committee on the Judiciary, on bill (H. R. 46) to amend section 90 of chapter 82 of the revised statutes, relating to evidence, that the same ought not to pass ;

Report of the same Committee, on an order relating to amending chapter 3, section 10, of the revised statutes, so that no one shall be eligible to election to a municipal office who is unable to read fair and legible hand writing, that legislation thereon is inexpedient ;

Report of the same Committee, on an order relating to authorizing the Governor to commission court stenographers as justices of the peace for the State, that legislation thereon is inexpedient ;

Report of the same Committee, on bill (H. R. 85) additional to an act to incorporate the city of Bath, that the same ought not to pass ;

Report of the same Committee, on a bill relating to liens on buildings and lots, that the same ought not to pass ;

Were accepted in concurrence.

\*302 Report of the same Committee, on bill (H. R. 123) \* to incorporate the Portland Yacht Club, that the same ought to pass, was accepted in concurrence, the bill read once, and to-morrow assigned for its second reading.

Mr. DAVIS of Penobscot, from the Committee on the Judiciary, on the petition of John J. Perry for an amendment of the laws relating to the arrest and imprisonment of poor debtors, reported that the petitioner has leave to withdraw.

The report was accepted.

Sent down for concurrence.

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

H. R. 1. Resolve in favor of Nathaniel Blake, which was read a second time, and

On motion by Mr. BRAGDON,

*Resolved*, That it be indefinitely postponed.

Sent down for concurrence.

The same Committee also reported the following bill :

H. R. 31. Bill in addition to chapter 51 of the revised statutes, relating to mortgages of corporations, which was read a second time, House amendment "A" was agreed to, and the bill as amended passed to be engrossed in concurrence.

The same Committee also reported the following bill :

S. 17. Bill to amend section 40, chapter 140 of the revised statutes, relating to the term of imprisonment of convicts in the State prison, which was read a second time, and

On motion by Mr. DAVIS of Penobscot,

*Ordered*, That it lie on the table.

The same Committee also reported the following \* bill : \*303

H. R. 148. Bill to repeal chapter 149 of the public laws of 1877, (relating to executions) which was read a second time, and

On motion by Mr. PHILLIPS,

*Ordered*, That it be recommitted to the Committee on Bills in the Second Reading.

The Committee subsequently reported the bill, with title corrected by adding the words "relating to executions," and

On motion by Mr. DAVIS of Penobscot,

*Ordered*, That it lie on the table.

The same Committee also reported the following bills and resolve :

H. R. 68. Bill to amend section 2 of chapter 89 of the revised statutes, relating to reviews ;

H. R. 145. Bill relating to malicious mischief;

H. R. 146. Bill amendatory of section 2, chapter 124 of the public laws of the year 1873, relating to free high schools;

H. R. 147. Bill to amend chapter 234 of the public laws of 1874, concerning tax titles;

H. R. 149. Bill to amend an act entitled "an act to incorporate the Sandy River Valley Railroad Company;"

H. R. 80. Resolve making appropriation for the propagation of fish;

Which were each read a second time and passed to be engrossed in concurrence.

On motion by Mr. PHILLIPS,

S. 65. Bill to amend section 10 of chapter 120 of the public laws of the year 1876, entitled "an act to authorize the formation of railroad corporations," was taken from the table.

\*304 \*The amendment offered by Mr. COBB, to strike out "*twelve hundred*" and insert "*ten hundred*," was agreed to.

Mr. PRINCE proposed to further amend by adding the words "*in quarterly payments*."

The amendment was agreed to, and the bill as amended passed to be engrossed.

Sent down for concurrence.

On motion by Mr. BAILEY,

S. 64. Bill repealing the several acts establishing the school mill fund for the support of common schools, was taken from the table.

The amendment proposed by Mr. MARTIN was disagreed to.

On motion by Mr. MORRISON, that the bill be indefinitely postponed, it was determined in the affirmative, { Yeas..... 24  
Nays..... 5

On motion by Mr. MORRISON,

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

Those who voted in the affirmative are :

Messrs. Bartlett, Bragdon, Burleigh, Davis of Penobscot, Drake, Ferguson, Grindle, Hassell, Haynes, Hobson, Irish, Learned, Martin, Moody, Morrison, Moulton, Nash, Phillips, Prince, Stevens, Sumner, Tolman, Totman and Woodward—24.

Those who voted in the negative are :

Messrs. Bailey, Boardman, Cobb, Davis of Cumberland, Rogers—5.

So the bill was indefinitely postponed.

Sent down for concurrence.

On motion by Mr. BARTLETT,

S. 55. Bill to prevent the throwing of slabs and other refuse into the Kennebec river and its \*tributaries, was \*305 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. IRISH,

H. R. 121. Bill to amend an act to regulate and protect fisheries and propagation of fish, was taken from the table.

House amendments "A" and "B" were agreed to.

Mr. IRISH proposed amendments marked Senate Nos. 1, 2, 3, 4, 5 and 6, which were respectively agreed to.

Mr. BRAGDON proposed an amendment, Senate No. 7, which was agreed to.

Mr. GRINDLE proposed an amendment, Senate No. 8, which was agreed to.

The bill as amended passed to be engrossed.

Sent down for concurrence.

On motion by Mr. DAVIS of Cumberland,

The vote was reconsidered whereby the Senate passed to be engrossed the bill (H. R. 143) to regulate and protect the shore fisheries.

On motion by the same Senator, the vote was reconsidered whereby the Senate agreed to amendment "C."

The same Senator proposed a substitute for said amendment, which was adopted, and the bill as amended passed to be engrossed.

Sent down for concurrence.

On motion by Mr. NEALLEY,

S. 75. Bill additional to chapter 5 of the revised statutes, relating to the public lands, was taken from the table, read twice, the rules being suspended, and passed to be engrossed.

\* Sent down for concurrence.

\*306

On motion by Mr. WOODWARD,

H. R. 10. Bill to prevent the throwing of edgings, sawdust and other refuse into the waters of the harbor of Wiscasset, was taken from the table and passed to be engrossed in concurrence.

On motion by Mr. DAVIS of Penobscot,

S. 20. Bill to amend chapter 363 of the special laws of 1877, relating to the throwing of refuse into the Piscataquis river, 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. IRISH,

*Ordered*, That the Hon. Moses S. Moulton be excused from further attendance upon this session of the Senate, and that his pay be made up for the entire session.

Mr. BAILEY, by leave, presented a bill (S. 78) additional to an act in aid of free high schools, approved February 24, 1873, which was laid over to be printed under the Joint Rule.

Mr. HAYNES, from the Committee on the Judiciary, on bill (H. R. 119) to amend section 14 of chapter 7 of the revised statutes, relating to the making of an alphabet in the register of deeds' office, reported that the same ought not to pass.

The report was accepted.

Sent down for concurrence.

The same Senator, from the Same Committee, on bill (S. 69) to change the name of the Malachite Mining Company, reported that the same ought to pass.

\*307 \* The report was accepted, the bill read once and to-morrow assigned for its second reading.

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

S. 19. An act to incorporate the Presumpscot Water Power Company ;

S. 39. An act additional to chapter 49 of the revised statutes, relating to life insurance ;

S. 58. An act to incorporate the Machiasport and Machias Telegraph Company ;

S. 71. An act to amend the charter of the city of Augusta;

S. 9. Resolve authorizing the conveyance of certain lots of land in the east half of township No. 2, range 5, west from the east line of the State, in the county of Aroostook;

S. 11. Resolve in favor of Elbridge D. Crouse;

S. 13. Resolve in favor of the State Reform School;

H. R. 131. An act to incorporate the Deer Isle and Sedgwick Steam Ferry Company;

H. R. 132. An act to extend the charter of the Aroostook Steamboat Company;

H. R. 64. Resolve in favor of O. W. Davis, Jr.;

Which several bills were each passed to be enacted, and the resolves were finally passed in concurrence. And having been signed by the President were by the Secretary presented to the Governor for his approval

On motion by Mr. ROGERS, at 55 minutes past 5 o'clock P. M.,  
The Senate adjourned.

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\* SATURDAY, FEBRUARY 16, 1878. \*308

Senate met according to adjournment.

Prayer by Rev. Mr. TILDEN, of Augusta.

On motion by Mr. PHILLIPS,

*Ordered*, That the reading of the Journal of yesterday be omitted.

Papers from the House:

Report of the Committee on Financial Affairs, on bill (H. R. 144) to amend section 71 of chapter 51 of the revised statutes, relating to railroad commissioners, that the same ought not to pass, was accepted in concurrence.

Report of the Committee on the Judiciary, on the petitions of citizens of Oxford county for the removal of the shire town of said county from Paris to Norway, that the petitioners have leave to withdraw, came up indefinitely postponed.

The Senate non-concurred, and the report was accepted.

Sent down for concurrence.

Report of the Committee on the Judiciary, on bill (S. 5) to amend chapter 82 of the revised statutes, relating to evidence, that the same ought to pass, was accepted in concurrence, the bill read twice, the rules being suspended, and

\*309 \* On motion by Mr. NEALLEY,  
*Ordered*, That it lie on the table.

Report of the same Committee, on bill (S. 33) additional to chapter 97 of the revised statutes, relating to bastard children and their maintenance, that the same ought to pass;

Report of the same Committee, on bill (H. R. 134) to make valid the doings of Oliver B. Trott as a justice of the peace and quorum, that the same ought to pass;

Report of the Committee on Mercantile Affairs and Insurance, on the petition of the Union Mutual Life Insurance Company, submitting a bill (H. R. 151) to consolidate, revise, and amend the various acts which constitute the charter of the Union Mutual Life Insurance Company;

Were accepted, the bills each read twice, the rules being suspended, and passed to be engrossed in concurrence.

Report of the Committee on Legal Affairs, on sundry petitions, submitting a bill (H. R. 152) for the protection of game and birds, was accepted in concurrence, the bill read twice, the rules being suspended, House amendments "A" and "B" were agreed to.

Mr. BRAGDON proposed an amendment marked "C," which was agreed to, and the bill as amended passed to be engrossed.

Sent down for concurrence.

H. R. 153. Bill to provide in part for the expenditures of government, came from the House passed to be engrossed, and was read twice, the rules being suspended.

\*310 Mr. BOARDMAN moved to amend by striking \* out the following:

"Agricultural societies, six thousand dollars, \$6,000.00."

And upon the question of agreeing to this amendment, it was determined in the negative, { Yeas ..... 11  
Nays ..... 13

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. Boardman, Bragdon, Grindle, Irish, Learned, Martin, Moody, Nash, Nealley, Sumner and Woodward—11.

Those who voted in the negative are :

Messrs. Bartlett, Burleigh, Davis of Penobscot, Ferguson, Hassell, Haynes, Morrison, Phillips, Prince, Rogers, Stevens, Tolman and Totman—13.

So the amendment was disagreed to, and the bill passed to be engrossed in concurrence.

Report of the Committee on the Judiciary, on sundry petitions relating to suits for malpractice, submitting a bill (H. R. 154) to prevent vexatious lawsuits, was accepted in concurrence, the bill read once.

The Senate non-concurred with the House in its indefinite postponement, and Monday was assigned for its second reading.

Report of the Committee on Legal Affairs, on bill (H. R. 62) giving county commissioners jurisdiction over the repairs of ways, with the same in a new draft and that it ought to pass, was accepted in concurrence, the bill read once, House amendments "A" and "B" were agreed to.

Mr. TOLMAN proposed an amendment marked "C."

Mr. PHILLIPS proposed an amendment marked "D."

\* Mr. BARTLETT proposed an amendment marked "E." \*311

These amendments were agreed to.

The Senate non-concurred with the House in the indefinite postponement of the bill, and Monday was assigned for its second reading.

Report of the Committee on the Judiciary, on an order, submitting a bill (H. R. 155) to repeal chapter 78 of the public laws of 1876, relating to the erection of fish weirs and wharves in tide waters, was accepted, the bill read once and indefinitely postponed in concurrence.

Report of the Committee on Financial Affairs, submitting (H. R. 82) resolve authorizing appointment of a State geologist, and that it ought to pass, was accepted in concurrence, the resolve read twice, the rules being suspended.

The Senate non-concurred with the House in the indefinite postponement of the resolve.

Mr. BOARDMAN proposed an amendment marked "A," which was agreed to, and the resolve as amended passed to be engrossed. Sent down for concurrence.

Report of the Committee on Military Affairs, submitting (H. R. 83) resolve in favor of clothing the militia of Maine, and that it ought to pass;

Report of the Committee on Agriculture, on the Governor's address, submitting (H. R. 84) resolve in favor of the Maine State College of Agriculture and the Mechanic Arts;

Were accepted, and the resolves each read and indefinitely postponed in concurrence.

S. 2. Bill to establish a municipal court in the town of Farmington, came from the House amended per sheet "A," and as amended passed to be engrossed.

\*312 \*The Senate receded and concurred with the House.

H. R. 11. Resolve in favor of Eugene Michaud;

H. R. 12. Resolve in favor of Mrs. Ellebert Michaud;

Severally indefinitely postponed by the Senate, came up, and the House insists upon the passage of the resolves to be engrossed, and proposes a Committee of Conference, with

Messrs. Dickey of Fort Kent, White of Levant and Robie of Gorham, appointed conferees on the part of the House.

*Resolved*, That the Senate insists and concurs in the proposed conference, and

Messrs. Bragdon of Hancock, Boardman of Waldo and Martin of Knox, were appointed conferees on the part of the Senate.

The following printed bill:

S. 77. Bill to amend chapter 107 of the public laws of 1876, entitled "an act additional to chapter 4 of the revised statutes, relating to elections," was read twice, the rules being suspended, and

On motion by Mr. HAYNES,

*Ordered*, That it lie on the table.

On motion by Mr. PHILLIPS,

*Ordered*, That when the Senate adjourns it be to meet on Monday, at 4 o'clock P. M.

Subsequently, on motion by Mr. SUMNER,

The foregoing vote was reconsidered.

Mr. MOODY moved to amend by striking out "four o'clock P. M.," and insert "ten o'clock A. M."

The amendment was agreed to, and the order passed.

Mr. BOARDMAN presented a bill (S. 79) to amend an act relating to the Maine Industrial School \*for Girls, \*313 which was read twice, the rules being suspended, and passed to be engrossed.

Sent down for concurrence.

Mr. HAYNES, from the Committee on the Judiciary, on bill (H. R. 72) additional to an act to incorporate the city of Bath, reported the same in a new draft under title of "an act to provide suitable means of egress from buildings used for assemblages of citizens."

The report was accepted and the bill laid over to be printed under the Joint Rule.

On motion by Mr. IRISH,

H. R. 84. Bill for the better protection of the rights of towns, was taken from the table and read a second time, House amendment "A" was agreed to.

The same Senator 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. PHILLIPS,

S. 67. Bill for a uniform rule in the scale of logs and timber, 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. BARTLETT,

H. R. 36. Resolve in favor of the town of Mayfield, was taken from the table and passed to be engrossed in concurrence.

On motion by Mr. BRAGDON,

H. R. 14. Resolve to carry into effect the provisions of chapter 49 of the resolves of 1869, was taken \*from the \*314 table, and pending its passage to be engrossed in concurrence,

On motion by the same Senator,

*Resolved*, That it be indefinitely postponed.

Sent down for concurrence.

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

H. R. 123. Bill to incorporate the Portland Yacht Club, which was read a second time and passed to be engrossed in concurrence.

The same Committee also reported the following bill :

S. 69. Bill to change the name of the Malachite Mining Company, which was read a second time and passed to be engrossed.

Sent down for concurrence.

On motion by Mr. HAYNES,

*Ordered*, That the justices of the Supreme Judicial Court be requested to give their opinion on the following question, and in case it is found impracticable to give such opinion before the adjournment of the present Legislature, to report the same to the Governor, to be by him promulgated :

*Question* :—Does the treaty concluded at Washington, August 9th, 1842, for the purpose of determining the boundaries between the territories of the United States and the possessions of Her Britannic Majesty in North America, confer the elective franchise on foreign born persons residing on the disputed territory in the northeastern portion of this State at the time of the treaty, and not otherwise naturalized ?

\*315 \*On motion by Mr. BRAGDON, at 4 minutes before one o'clock P. M.,

The Senate adjourned.

## MONDAY, FEBRUARY 18, 1878.

Senate met according to adjournment.

Prayer by Rev. Mr. FULLER of Hallowell.

On motion by Mr. WOODWARD,

*Ordered*, That the reading of the Journal of Saturday be omitted.

Order from the House :

The Senate concurring, that there be a joint convention of both branches of the Legislature on Tuesday evening, at 7 o'clock, for the purpose of considering a proposition to resolve the convention into a committee of the whole, for the purpose of listening to remarks from the Rev. Nathaniel Butler, D. D., of Bangor, on the importance of building a new insane hospital, came from the House passed, and was read.

Mr. HAYNES proposed to amend by striking out "evening at 7 o'clock," and insert "*at 5 o'clock P. M.*"

The amendment was agreed to and the order passed.

Sent down for concurrence.

\* Report of the Committee on the Judiciary, on bill (H. \*316 R. 25) for the further protection of rope used in lumbering, that the same ought not to pass ;

Report of the Committee on Legal Affairs, on bill (H. R. 130) to repeal chapter 60 of the public laws of 1872, entitled "an act relating to fees for serving subpoenas," that the same ought not to pass ;

Were accepted in concurrence.

Report of the Committee on the Judiciary, on bill (H. R. 44) to amend chapter 261 of the private acts of 1869, relating to the Supreme Judicial Court in Washington county, that the same ought to pass, was accepted, the bill read once, and referred to the next Legislature in concurrence.

Report of the Committee on Mercantile Affairs and Insurance, on bill (H. R. 54) additional to chapter 49 of the revised statutes, in relation to life insurance, with the same in a new draft and that

it ought to pass, was accepted in concurrence, the bill read once and this afternoon assigned for its second reading.

Report of the Committee on Legal Affairs, on bill (H. R. 63) to amend section 66 of chapter 82 of the revised statutes, relating to juries, with the same amended by striking out the word "four" where it occurs, and inserting the word "*three*," and that it ought to pass as amended, was accepted in concurrence, the bill read once, and

On motion by Mr. DAVIS of Penobscot,

*Ordered*, That it lie on the table.

Report of the Committee on the Judiciary, on bill (H. R. 79) to incorporate the Kennebec Association for the protection of  
\*317 fish and game, that the same ought \* to pass ;

Report of the same Committee, on bill (H. R. 112) and an order, submitting a bill (H. R. 112) to amend section 12 of chapter 122 of the revised statutes, relating to corrupt agreements by attorneys and others ;

Report of the same Committee, on an order relating to the accountability of insurance agents, submitting a bill (H. R. 156) to amend section 8 of chapter 120 of the revised statutes, relating to larceny ;

Report of the same Committee, on an order, submitting a bill (H. R. 157) concerning tramps ;

Report of the same Committee, on an order relating to disclosures of debtors, submitting a bill (H. R. 158) to amend sections 21 and 28 of chapter 113 of the revised statutes, relating to relief of poor debtors ;

Report of the Committee on Financial Affairs, on the Governor's address, submitting a bill (H. R. 159) to amend chapter 48 of the public laws of 1875, relating to the public debt ;

Report of the Committee on the Judiciary, on an order relating to disclosures upon judgments, submitting a bill (H. R. 160) to provide additional remedies for the enforcement of judgments ;

Were severally accepted in concurrence, the bills each read once and this afternoon assigned for their second reading.

Report of the Committee on Legal Affairs, on an order, submitting a bill (H. R. 161) in relation to the attachment of property on writs after service completed, came up accepted and the bill

indefinitely postponed, and was accepted, the bill read and indefinitely postponed in concurrence.

Report of the Committee on Agriculture, on the Governor's address, submitting (H. R. 85) resolve in \*favor of \*318 the Maine State College of Agriculture and the Mechanic Arts, was accepted in concurrence, the resolve read once and this afternoon assigned for its second reading.

H. R. 86. Resolve in favor of Sprague, Owen and Nash, came from the House passed to be engrossed, and was read and this afternoon assigned for its second reading.

H. R. 87. Resolve in favor of Nathan Perry, came from the House passed to be engrossed, and was read and this afternoon assigned for its second reading.

H. R. 162. Bill to regulate the disbursement of public funds by the treasurer in Cumberland county, came from the House passed to be engrossed, and was read once and this afternoon assigned for its second reading.

H. R. 1. Resolve in favor of Nathaniel Blake, came up, and the House insists upon its passage and proposes a Committee of Conference, and appoints as conferees,

Messrs. Nowland of Ashland, Austin of Milford and Webb of Deer Isle.

*Resolved*, That the Senate insists upon its indefinite postponement, and appoints as conferees,

Messrs. Irish of Oxford, Ferguson of York and Nash of Washington.

H. R. 14. Resolve to carry into effect the provisions of chapter 49 of the resolves of 1869, came up, and the House insists upon its passage and proposes a Committee of Conference, and appoints as conferees,

Messrs. Farrell of Van Buren, Bodwell of Hallowell and Vickery of Augusta.

*Resolved*, That the Senate insists upon its indefinite postponement, and appoints as conferees,

\* Messrs. Tolman of Cumberland, Sumner of Washington \*319 and Moody of York.

H. R. 82. Resolve authorizing appointment of a State geologist, came up, and the House insists upon its indefinite postponement and proposes a Committee of Conference, and appoints as conferees,

Messrs. Curran of Calais, Woods of Belfast and Weed of Veaze.

*Resolved*, That the Senate insists upon its passage, and appoints as conferees,

Messrs. Davis of Penobscot, Bailey of Cumberland and Haynes of Kennebec.

H. R. 143. Bill to regulate and protect the shore fisheries, came up, and the House insists upon the passage of the bill (without the Senate amendments) and proposes a Committee of Conference, and appoints as conferees,

Messrs. Simpson of Searsport, Kimball of Bath and Browne of Bowdoinham.

*Resolved*, That the Senate insists upon its passage as amended by the Senate, and appoints as conferees,

Messrs. Davis of Cumberland, Cobb of Androscoggin and Davis of Penobscot.

H. R. 163. Bill to amend section 5 of chapter 386 of the acts and resolves of the year 1873, entitled "an act to supply the cities of Lewiston and Auburn with pure water," came up passed to be engrossed, and was read twice, the rules being suspended, and passed to be engrossed in concurrence.

The following printed bill :

S. 78. Bill additional to an act in aid of free high schools, approved February 24, 1873, was read once and this afternoon  
\*320 assigned for its second \* reading.

Mr. IRISH presented the following :

*Ordered*, The House concurring, that the Legislature adjourn without day on Wednesday, the 20th instant.

And on motion by Mr. PHILLIPS,

*Ordered*, That it lie on the table.

Mr. HAYNES presented a bill (S. 80) additional to an act entitled "an act to amend the charter of the city of Augusta," which was read twice, the rules being suspended, and passed to be engrossed.

Sent down for concurrence.

Mr. HAYNES presented a bill (S. 81) to legalize the organization of certain plantations in Aroostook county, which was read once and this afternoon assigned for its second reading.

Mr. MOODY, by leave, presented a bill (S. 82) to define the qualifications of town officers, which was laid over to be printed under the Joint Rule.

Mr. STEVENS, from the Committee on the Judiciary, on bill (S. 60) to amend section 41, chapter 113 of the revised statutes, relating to arrests from taxes, reported that the same ought to pass.

The report was accepted and the bill laid over to be printed under the Joint Rule.

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

H. R. 154. Bill to prevent vexatious lawsuits, which was read a second time and passed to be engrossed.

Sent down for concurrence.

The same Committee also reported the following bill:

H. R. 62. Bill giving county commissioners \*jurisdiction over the repairs of ways, which was 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 and resolves:

S. 66. An act to amend chapter 204 of the public laws of the year 1874, entitled "an act relating to ways across railroads;"

S. 72. An act providing for a canal at the head waters of Presumpscot river;

S. 12. Resolve in favor of the Shapleigh and Acton Agricultural Society;

S. 15. Resolve in favor of the town of Deering;

S. 18. Resolve in favor of S. W. Stratton;

S. 20. Resolve relating to Perham plantation;

H. R. 57. An act relating to apprenticing of boys in Reform School;

H. R. 66. An act additional to chapter 19 of the public laws of the year 1875, relating to the taxation of railroad companies;

H. R. 71. An act additional to chapter 218 of the acts of 1877, entitled "an act to revise and consolidate the laws relating to the government, powers, duties, privileges and liabilities of savings banks and institutions for savings ;"

H. R. 135. An act to amend chapter 380 of the private and special laws of 1873, relating to schools in Madawaska territory ;

H. R. 137. An act to establish an additional Normal School ;

H. R. 140. An act to amend an act entitled "an act to incorporate the city of Calais ;"

\*322 H. R. 141. An act to amend section 30 of chapter \*6 of the revised statutes, relating to taxation of corporate property ;

H. R. 142. An act to amend an act to authorize the Maine Central Railroad Company to discontinue a portion of its track ;

H. R. 3. Resolve granting two lots of land to William Brown of Eagle Lake plantation, under certain conditions ;

H. R. 20. Resolve authorizing the location of a land certificate ;

H. R. 21. Resolve in favor of Ida Brown ;

H. R. 52. Resolve in favor of Portland Public Library ;

H. R. 65. Resolve in favor of John Carver and George S. Ames ;

H. R. 66. Resolve to abate the State tax in Washington plantation in Franklin county, for the years 1875, 1876 and 1877 ;

H. R. 67. Resolve in favor of George W. Black ;

H. R. 68. Resolve making appropriation for the Penobscot tribe of Indians for repairs on chapel on Oldtown island ;

H. R. 70. Resolve in favor of William D. Orr ;

H. R. 71. Resolve in favor of township No. 13, range 6, W. E. L. S., known as Portage Lake plantation ;

H. R. 75. Resolve in favor of Jeanne M. Strickland ;

H. R. 76. Resolve in favor of Albion W. Stratton ;

Which several bills were each passed to be enacted, and the resolves were finally passed in concurrence. And having been signed by the President, were by the Secretary presented to the Governor for his approval.

On motion by Mr. MARTIN,

S. 16. Resolve in favor of the State Prison, was taken from the table and passed to be engrossed.

\*323 \* Sent down for concurrence.

On motion by Mr. MORRISON,

S. 41. Bill to repeal chapter 178 of the public laws of 1877, in relation to demurrers, was taken from the table and passed to be engrossed.

Sent down for concurrence.

On motion by Mr. BAILEY,

H. R. 16. Bill to amend section 7, chapter 4, of the revised statutes, relating to voting lists, was taken from the table.

The amendment proposed by Mr. PRINCE, marked "B," was agreed to.

Mr. MOODY proposed an amendment marked "C," which was agreed to.

The bill as amended passed to be engrossed.

Sent down for concurrence.

On motion by Mr. BURLEIGH,

H. R. 77. Resolve in favor of building a bridge in township 17, range 8, in Aroostook county, was taken from the table, and

On motion by Mr. COBB,

*Resolved*, That it be indefinitely postponed.

Sent down for concurrence.

On motion by Mr. DAVIS of Penobscot,

H. R. 106. Bill to abolish the office of crier in the various courts, was taken from the table.

The same Senator proposed to amend by striking out the word "abolish," in the title, and insert "*provide for*," also to further amend as per sheet "A."

The amendments were agreed to, and the bill, as amended, passed to be engrossed.

Sent down for concurrence.

\* On motion by Mr. DAVIS of Penobscot,

\*324

S. 61. Bill to amend chapter 200 of the public laws of 1877, relating to mischievous dogs, 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. HAYNES,

S. 77. Bill to amend chapter 107 of the public laws of 1876,

entitled "an act additional to chapter 4 of the revised statutes, relating to elections," was taken from the table.

The same Senator proposed an amendment marked "A," which was agreed to.

Mr. BAILEY proposed an amendment marked "B," which was agreed to; also an amendment marked "C," to amend by striking out after the word "days," in the 24th line, (of the bill as printed, Sen. Print. Doc. No. 64) all up to and including the word "secular," and, pending its adoption,

On motion by Mr. NEALLEY, at 8 minutes before one o'clock P. M.,

The Senate adjourned.

#### AFTERNOON—THREE O'CLOCK.

Papers from the House:

Report of the Committee on Financial Affairs, on (H. R. 25) \*325 resolve to revive and put in force a resolve, \* chapter 58 of of the laws of 1869, abating certain plantation taxes, that the same ought not to pass;

Report of the Committee on Legal Affairs, on an order relating to recovery of damages for injuries received from defective highways, that legislation thereon is inexpedient;

Were accepted in concurrence:

Report of the Committee on Indian Affairs, on an order relating to treaty affairs between the State of Massachusetts and the Passamaquoddy Indians, submitting (H. R. 79) resolve relating to the Passamaquoddy Indians;

Report of the Committee on Legal Affairs, on an order relating to authorizing county commissioners to lay out county road through unincorporated plantations and unincorporated townships, submitting a bill (H. R. 164) to extend the jurisdiction and authority of county commissioners;

Report of the Committee on Legal Affairs, on the petition of John Burr and others, submitting a bill (H. R. 165) additional to chapter 136 of the special laws of 1872, entitled "an act authorizing the citizens of the Isle au Haut to allow their cattle to run at large on that island;

Were accepted in concurrence, the resolve and bills each read once and to-morrow assigned for their second reading.

Report of the Committee on the Judiciary, on an order relating to paupers in unincorporated places, submitting a bill (H. R. 166) to amend section 23 of chapter 24 of the revised statutes, relating to paupers, was accepted, the bill read once and indefinitely postponed in concurrence.

S. 19. Resolve requesting the Attorney General \* to inquire into the management of the Maine Industrial School for Girls, came from the House indefinitely postponed. \*326

The Senate receded and concurred.

S. 17. Resolve in aid of building a bridge over Fish river in Eagle Lake plantation, came from the House refused a passage.

The Senate receded and concurred.

S. 67. Bill for a uniform rule in the scale of logs and timber, came from the House with Senate amendment "A" agreed to, and the bill indefinitely postponed, and

On motion by Mr. HAYNES,

*Ordered*, That it lie on the table.

Mr. DAVIS of Penobscot, from the Committee on the Judiciary, on an order, reported a bill (S. 83) to amend section 25 of chapter 6 of the revised statutes, relating to the assessment and collection of taxes.

The same Senator, from the same Committee, on an order, reported a bill (S. 84) to amend chapter 232 of the public laws of 1874, relating to the collection of taxes.

These reports were accepted, the bills each read once and tomorrow assigned for their second reading.

The Committee on Bills in the Second Reading reported the following bills and resolves :

H. R. 54. Bill in addition to chapter 49 of the revised statutes, in relation to life insurance ;

H. R. 162. Bill to regulate the disbursement of public funds by the treasurer of Cumberland county ;

H. R. 87. Resolve in favor of Nathan Perry ;

H. R. 158. Bill to amend sections 21 and 28 of \* chapter 113 of the revised statutes, relating to relief of poor debtors ; \*327

H. R. 85. Resolve in favor of the Maine State College of Agriculture and the Mechanic Arts ;

H. R. 156. Bill to amend section 8 of chapter 120 of the revised statutes, relating to larceny ;

H. R. 79. Bill to incorporate the Kennebec Association for the protection of fish and game ;

H. R. 159. Bill to amend chapter 48 of the public laws of 1875, relating to the public debt ;

H. R. 112. Bill to amend section 12 of chapter 122 of the revised statutes, relating to corrupt agreements by attorneys and others ;

Which were each read a second time and passed to be engrossed in concurrence.

The same Committee also reported the following bill :

S. 81. Bill to legalize the organizations of certain plantations in Aroostook county, which was read a second time and passed to be engrossed.

Sent down for concurrence.

The same Committee also reported the following resolve :

H. R. 86. Resolve in favor of Sprague, Owen and Nash, which was read a second time, and

On motion by Mr. PRINCE,

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

The same Committee also reported the following bill :

H. R. 157. Bill concerning tramps.

Mr. HAYNES proposed an amendment marked "A."

Mr. PRINCE proposed an amendment marked "B."

\*328 \*These amendments were agreed to, and the bill, as amended, passed to be engrossed.

Subsequently, on motion by Mr. FERGUSON, the foregoing vote was reconsidered, and, after discussion, the bill passed to be engrossed.

Sent down for concurrence.

The same Committee also reported the following bill :

H. R. 160. Bill to provide additional remedies for the enforcement of Judgments, which was read a second time, House amendment "A" was agreed to, and

On motion by Mr. PHILLIPS,

*Ordered*, That it lie on the table.

The same Committee also reported the following bill :

S. 78. Bill additional to "an act in aid of free high schools," approved February 24, 1873, which was read a second time and passed to be engrossed.

Subsequently Mr. FERGUSON moved a reconsideration of the foregoing vote, and

On motion by the same Senator,

The motion to reconsider was laid on the table and to-morrow at ten o'clock assigned for its consideration.

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

S. 74. An act additional to an act to facilitate the prompt administration of justice by establishing a Superior Court in Kennebec county ;

S. 33. An act additional to chapter 97 of the revised statutes, relating to bastard children and their maintenance ;

S. 55. An act to prevent the throwing of slabs \*and \*329 other refuse into the Kennebec river and its tributaries ;

S. 26. An act amending chapter 124 of the public laws of the year 1876, relating to warehouses ;

S. 65. An act to amend section 10 of chapter 120 of the public laws of the year 1876, entitled "an act to authorize the formation of railroad corporations ;"

S. 6. An act to incorporate the Springvale Aqueduct Company ;

H. R. 68. An act to amend section 2 of chapter 89 of the revised statutes, relating to reviews ;

H. R. 147. An act to amend chapter 234 of the public laws of 1874, concerning tax titles ;

H. R. 101. An act to prohibit the taking of fish from Field's pond in the town of Orrington, and from Brewer's pond in the towns of Orrington and Bucksport ;

H. R. 10. An act to prohibit the throwing of edgings, saw dust and other refuse into the waters of the harbor of Wiscasset ;

H. R. 145. An act relating to malicious mischief ;

H. R. 31. An act in addition to chapter 51 of the revised statutes, relating to mortgages of corporations ;

H. R. 84. An act for the better protection of the rights of towns ;

H. R. 123. An act to incorporate the Portland Yacht Club ;

H. R. 139. An act to prevent the throwing of refuse into the tributaries of Wilson pond ;

H. R. 151. An act to consolidate, revive and amend the various acts which constitute the charter of the Union Mutual Life Insurance Company ;

\*330 \*H. R. 149. An act to amend an act entitled "an act to incorporate the Sandy River Railroad Company ;"

S. 70. An act to establish the salary of the clerk of courts for the county of Penobscot ;

S. 22. Resolve in favor of furnishing the town of Hurricane Island with reports and official documents ;

S. 24. Resolve relating to the State College of Agriculture and the Mechanic Arts ;

H. R. 34. Resolve in favor of compiling and printing school laws ;

H. R. 69. Resolve in favor of the Maine Industrial School for Girls ;

H. R. 80. Resolve making appropriation for the propagation of fish ;

H. R. 72. Resolve in favor of township No. 12, range 5, west from the east line of the State, known as Sheridan plantation ;

H. R. 13. Resolve in favor of George Cary, Theodore Cary, and Jefferson Cary ;

H. R. 81. Resolve in favor of Peter Selmore ;

Which several bills were each passed to be enacted, and the resolves were finally passed in concurrence, and having been signed by the President, were by the Secretary presented to the Governor for his approval.

On motion by Mr. ROGERS,

The rules were suspended and the vote was reconsidered whereby the Senate accepted the report of the Committee on the Judiciary on bill (H. R. 85) additional to an act to incorporate the city of Bath, that the same ought not to pass, and the report was recommitted.

Sent down for concurrence.

\*331 \*On motion by Mr. HAYNES,

H. R. 110. Bill relating to building and maintaining the lock in the dam across the Kennebec river at Augusta, 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. NEALLEY,

The Senate resumed consideration of (S. 77) bill to amend chapter 107 of the public laws of 1876, entitled "an act additional to chapter 4 of the revised statutes, relating to elections," under consideration at adjournment.

Amendment "C" was withdrawn.

The votes adopting amendments "A" and "B" were reconsidered, and the same were withdrawn.

Mr. NEALLEY proposed an amendment, No. 1, which was agreed to, and the bill, as amended, passed to be engrossed.

Sent down for concurrence.

On motion by Mr. PHILLIPS,

S. 54. Bill to establish a State board of examiners of teachers for the public schools, was taken from the table, read, and

On motion by the same Senator,

*Resolved*, That it be referred to the next Legislature.

Sent down for concurrence.

On motion by Mr. BRAGDON,

H. R. 136. Bill to provide schools for the training of teachers in Madawaska territory, was taken from the table and passed to be engrossed in concurrence.

\* On motion by Mr. BOARDMAN,

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H. R. 113. Bill in relation to the duties of county attorneys and additional to chapter 79 of the revised statutes, was taken from the table.

Mr. MOODY 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. BRAGDON, at 40 minutes past 5 o'clock P. M.,

The Senate adjourned.

TUESDAY, FEBRUARY 19, 1878.

Senate met according to adjournment.

Prayer by Rev. Mr. ALLEN of Hallowell.

On motion by Mr. NEALLEY,

*Ordered*, That the reading of the Journal of yesterday be omitted.

Papers from the House :

Report of the Committee on the Judiciary, on bill (H. R. 30) in relation to the insolvent laws of Maine, with the same in a new draft, and that it ought to pass, was accepted in concurrence, the bill read twice, the rules being suspended, House amendment "A" was agreed to, and the bill, as amended, passed to be engrossed in concurrence.

\*333 \* Report of the same Committee, on an order relating to commitments to the Industrial School for Girls, submitting a bill (H. R. 167) to amend section 10, chapter 141 of the public laws of 1873, relating to the Industrial School for Girls, was accepted, the bill read twice, and indefinitely postponed in concurrence.

H. R. 62. Bill giving county commissioners jurisdiction over the repairs of ways, amended and passed to be engrossed by the Senate, and by the House indefinitely postponed, came up, and the House adheres.

On motion by Mr. HAYNES,

*Resolved*, That the Senate insists upon its former vote, and proposes a Committee of Conference, and

Messrs. Haynes of Kennebec, Phillips of Penobscot and Prince of Androscoggin were appointed conferees.

Sent down for concurrence.

Subsequently came back, and the House adheres.

H. R. 154. Bill to prevent vexatious lawsuits, indefinitely postponed by the House, and by the Senate passed to be engrossed, came up, and the House adheres.

On motion by Mr. HAYNES,

*Resolved*, That the Senate insists, and proposes a Committee of Conference, and

Messrs. Haynes of Kennebec, Nealley of Penobscot and Davis of Cumberland, were appointed conferees.

Sent down for concurrence.

Subsequently came back, and the House adheres.

\* Report of the Committee on Agriculture, on the petition of Edwin S. Stevens and others, for the repeal of chapter 200 of the public laws of 1877, relating to mischievous dogs, submitting a bill (S. 49) to repeal chapter 200 of the public laws of 1877, entitled "an act additional to chapter 30 of the revised statutes, relating to mischievous dogs," which had been amended by the Senate by substituting the report of the minority of said Committee, came from the House with the amendment rejected, the report accepted and the bill passed to be engrossed. \*334

The Senate receded and the report was accepted in concurrence, the bill read twice, the rules being suspended.

Mr. PRINCE proposed an amendment marked "A," which was agreed to, and the bill, as amended, passed to be engrossed.

Sent down for concurrence.

S. 79. Bill to amend an act relating to the Maine Industrial School for Girls, came up amended per sheet "A" and passed to be engrossed.

The Senate receded, House amendment "A" was agreed to, and the bill, as amended, passed to be engrossed in concurrence.

On motion by Mr. PRINCE,

The vote was reconsidered whereby the Senate referred to the Committee on Financial Affairs (H. R. 86) resolve in favor of Sprague, Owen and Nash, and the resolve was passed to be engrossed in concurrence.

The Senate proceeded to the consideration of the motion by Mr. Ferguson, that the vote be reconsidered whereby the Senate passed to be engrossed the bill (S. 78) additional \* to \*335 an act in aid of free high schools, approved February 24, 1873.

The motion to reconsider was determined in the negative,

{ Yeas .....	11
{ Nays .....	15

On motion by Mr. BRAGDON,

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

Those who voted in the affirmative are :

Messrs. Bragdon, Davis of Penobscot, Grindle, Hassell, Learned, Morrison, Nash, Prince, Stevens, Sumner and Totman—11.

Those who voted in the negative are :

Messrs. Bailey, Bartlett, Burleigh, Cobb, Davis of Cumberland, Ferguson, Haynes, Irish, Martin, Moody, Nealley, Phillips, Rogers, Tolman and Woodward—15.

So the motion was disagreed to

The following printed bills :

S. 82. Bill to define the qualifications of town officers ;

H. H. 72. Bill to provide suitable means of egress from buildings used for assemblages of citizens ;

Were each read once and this afternoon assigned for their second reading.

On motion by Mr. IRISH,

*Ordered*, The House concurring, that the Legislature adjourn without day on Thursday, the 21st instant.

Sent down for concurrence.

Mr. PRINCE presented the following :

*Ordered*, That on and after the first day of January, A. D. 1879, the officers of the Senate, not provided by law, shall be ——— and their pay shall be as follows :

\*336 \* And on motion by the same Senator, the order was referred to a select committee of five Senators, with instructions to report upon the filling of the blanks in the foregoing order.

[NOTE—See Journal of afternoon session for committee.]

Mr. PRINCE presented (S. 27) resolve for an investigation relating to elections in certain towns and plantations, and

On motion by the same Senator,

*Ordered*, That it lie on the table and be printed.

Mr. MORRISON, from the Committee on Legal Affairs, on the petition of L. F. Stratton and others, for a uniform scale of logs, reported that the petitioners have leave to withdraw.

The same Senator, from the same Committee, on an order relating to the survey and record of survey of logs in Penobscot county, reported that legislation thereon is inexpedient.

The same Senator submitted the final report of the same Committee, that they have acted upon all matters referred to them.

These reports were accepted.

Sent down for concurrence.

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

S. 83. Bill to amend section 25 of chapter 6 of the revised statutes, relating to the assessment and collection of taxes ;

S. 84. Bill to amend chapter 232 of the public laws of 1874, relating to the collection of taxes ;

Which were each read a second time and passed to be engrossed.

\* Sent down for concurrence.

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The same Committee also reported the following resolve and bills :

H. R. 79. Resolve relating to the Passamaquoddy Indians ;

H. R. 164. Bill to extend the jurisdiction of county commissioners ;

H. R. 165. Bill additional to chapter 136 of the special laws of 1872, entitled "an act authorizing the citizens of the Isle au Haut to allow their cattle to run at large on that island ;"

Which were each read a second time and passed to be engrossed in concurrence.

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

S. 2. An act to establish a municipal court in the town of Farmington ;

S. 80. An act additional to an act entitled "an act to amend the charter of the city of Augusta," approved February 15, 1878 ;

Which several bills were each passed to be enacted in concurrence, and having been signed by the President, were by the Secretary presented to the Governor for his approval.

On motion by Mr. NEALLEY, at 30 minutes past 11 o'clock P. M.,

The Senate adjourned.

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\* AFTERNOON—THREE O'CLOCK.

The PRESIDENT announced the select committee on the number and pay of the officers of the Senate, not provided for by law, which was appointed as follows :

Messrs. Prince of Androscoggin, Bailey of Cumberland, Irish of Oxford, Nash of Washington, and Woodward of Lincoln.

Papers from the House :

Report of the Committee on the Judiciary, on bill (S. 45) in regard to the renewal of trial justice executions, that the same ought to pass ;

Report of the Committee on Ways and Means, submitting a bill (H. R. 171) for the assessment of a State tax for the year one thousand eight hundred seventy-eight, amounting to the sum of eight hundred ninety-nine thousand seven hundred twelve dollars and seventy cents ;

Were accepted, the bills each read twice, the rules being suspended, and passed to be engrossed in concurrence.

H. R. 168. Bill to authorize the town of Brunswick to fund its debt and issue bonds therefor ;

H. R. 169. Bill to authorize the trustees of Gorham Seminary to convey the property of said corporation for the use and purposes of the normal school established at Gorham ;

H. R. 170. Bill to authorize the town of Gorham, or any  
\*339 of its school districts, to raise money for \* providing buildings for the normal school established in said town ;

Severally came from the House passed to be engrossed, and were each read twice, the rules being suspended, and passed to be engrossed in concurrence.

Report of the Committee of Conference, on the disagreeing votes of the two branches on (H. R. 14) resolve to carry into effect the provisions of chapter 49 of the resolves of 1869, that the Senate recede and concur in the passage of the resolve ;

Report of the Committee of Conference on the disagreeing votes of the two branches on (H. R. 1) resolve in favor of Nathaniel Blake, that the Senate recede and concur in its passage ;

Were severally accepted, and the Senate receded and concurred in the passage of the resolves to be engrossed.

Report of the Committee of Conference on the disagreeing votes of the two branches on bill (H. R. 143) to regulate and protect the shore fisheries, that the House recede and concur in adopting Senate amendments "B" and "C," was accepted in concurrence.

Mr. ROGERS presented (S. 28) 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.

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

S. 82. Bill to define the qualifications of town officers, which was read a second time.

Mr. ROGERS proposed an amendment marked "A."

\*Mr. BOARDMAN proposed an amendment marked "B." \*340

These amendments were agreed to, and the bill, as amended, passed to be engrossed.

Sent down for concurrence.

The same Committee also reported the following bill:

H. R. 72. Bill to provide suitable means of egress from buildings used for assemblages of citizens, which was read a second time and passed to be engrossed.

Sent down for concurrence.

On motion by Mr. PHILLIPS,

H. R. 160. Bill to provide additional remedies for the enforcement of judgments, was taken from the table and passed to be engrossed in concurrence.

On motion by Mr. BURLEIGH,

H. R. 73. Resolve in aid of building a bridge in the town of Caribou, was taken from the table.

The question being on the passage of the resolve to be engrossed, it was determined in the affirmative, { Yeas ..... 19  
Nays..... 4

On motion by Mr. MARTIN,

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

Those who voted in the affirmative are:

Messrs. Bailey, Bartlett, Bragdon, Burleigh, Cobb, Davis of Penobscot, Drake, Ferguson, Hassell, Haynes, Irish, Learned,

Morrison, Nealley, Rogers, Sumner, Tolman, Totman and Woodward—19.

Those who voted in the negative are :

Messrs. Davis of Cumberland, Martin, Moody and Nash—4.

So the resolve passed to be engrossed in concurrence.

\*341 \* On motion by Mr. DAVIS of Penobscot,

H. R. 63. Bill to amend section 66 of chapter 82 of the revised statutes, relating to juries, was taken from the table, and

*Resolved*, That it be indefinitely postponed.

Sent down for concurrence.

On motion by Mr. NEALLEY,

S. 5. Bill to amend chapter 82 of the revised statutes, relating to evidence, was taken from the table.

The same Senator moved that the bill be indefinitely postponed, and pending this question,

On motion by Mr. HAYNES,

*Ordered*, That it lie on the table.

On motion by Mr. MORRISON,

*Ordered*, That a message be sent to the Governor, requesting the return to the Senate of a bill (S. 2) to establish a municipal court in the town of Farmington.

The message was conveyed by the Secretary, and in response thereto the bill was returned to the Senate.

On motion by Mr. MORRISON,

The vote was reconsidered whereby the Senate passed the foregoing bill to be enacted, and

*Ordered*, That the bill lie on the table.

On motion by Mr. NEALLEY,

*Ordered*, That a message be sent to the Governor, requesting the return to the Senate of a bill (S. 70) to establish the salary of the clerk of courts for the county of Penobscot.

The message was conveyed by the Secretary, and in response thereto the bill was returned to the Senate.

\*342 \* On motion by Mr. NEALLEY,

The votes were reconsidered whereby the Senate passed the foregoing bill to be enacted and 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.

On motion by Mr. NEALLEY.

*Ordered*, That Hon. William Rogers be excused from further attendance and that the Secretary make up his pay for the session.

On motion by Mr. DAVIS of Cumberland,

*Ordered*, That the Justices of the Supreme Judicial Court be requested to give their opinion upon the following question, in addition to the question asked in the order passed by the Senate on the 16th instant, and to report the same to the Governor to be by him promulgated, to wit :

Whether persons born upon said disputed territory within the present limits of this State, have or not the same elective franchise as persons born upon territory within the State over which the British Government made no claim ?

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

S. 68. An act to more fully carry out the proviso of section 10 of the act of Congress, chapter 177 of the acts of 1868, making compensation for the lands assigned by Maine to settlers ;

S. 69. An act to change the name of the Malachite Mining Company ;

S. 75. An act additional to chapter 5 of the \*revised \*343 statutes, relating to the public lands ;

H. R. 54. An act in addition to chapter 49 of the revised statutes, in relation to life insurance.

H. R. 134. An act to make valid the doings of Oliver B. Trott as a justice of the peace ;

H. R. 146. An act amendatory of section 2 of chapter 124 of the public laws of the year 1873 as amended by the acts of 1874 and 1876, relating to free high schools ;

H. R. 152. An act for the protection of game and birds ;

H. R. 153. An act to provide in part for the expenditures of government ;

H. R. 163. An act to amend section 5 of chapter 386 of the special laws of the year 1873, entitled "an act to supply the cities of Lewiston and Auburn with pure water ;

H. R. 36. Resolve in favor of the town of Mayfield ;

Which several bills were each passed to be enacted, and the resolve was finally passed in concurrence, and having been

signed by the President, were by the Secretary presented to the Governor for his approval.

Mr. STEVENS, from the Committee on the Judiciary, on an order, certain petitions, and (H. R. 9) resolve in favor of certain towns and plantations, reported in detail, submitting (S. 29) resolve in favor of the town of Alexander and eighteen other towns.

The report was accepted and the resolve laid over to be printed under the Joint Rule.

Mr. STEVENS, from the same Committee, reported that they have acted upon all matters referred to them.

\*344 \*The report was accepted.

Sent down for concurrence.

The hour having arrived, assigned for the Convention of the two branches of the Legislature for the purpose of considering the proposition of resolving the Convention into a Committee of the Whole for the purpose of listening to remarks from the Rev. Nathaniel Butler, D. D., of Bangor, on the importance of building a new insane hospital, the Senate proceeded to the Representatives' Hall, where a Convention was formed.

#### IN CONVENTION.

On motion by Mr. HAYNES of the Senate,

*Ordered*, That the Convention resolve into a Committee of the Whole, for the purpose of listening to remarks by Rev. Nathaniel Butler, D. D.

Mr. Haynes of Kennebec, of the Senate, was called to the Chair.

Mr. HAYNES, chairman of the Committee, subsequently reported that the Committee had instructed him to report the following:

WHEREAS, The Committee of the Whole Legislature have had under consideration the subject of a new insane hospital, and have listened with deep interest to the able argument therefor, and are fully impressed with the importance of the subject and the necessity of immediate action thereon, therefore

*Resolved*, That the Committee recommend the subject matter to the most favorable consideration of the Legislature.

The preamble and resolution were adopted.

\* On motion by Mr. ROBIE of Gorham, of the House, \*345  
*Ordered*, That the chairman of the Committee of the  
 Whole, be instructed to report the preamble and resolution to the  
 Senate.

The Convention then dissolved.

#### IN SENATE.

On motion by Mr. MOODY, at 15 minutes past 6 o'clock P. M.,  
 The Senate adjourned.

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WEDNESDAY, FEBRUARY 20, 1878.

Senate met according to adjournment.

Prayer by Rev, Mr. UPJOHN of Augusta.

On motion by Mr. MORRISON,

*Ordered*, That the reading of the Journal of yesterday be  
 omitted.

Papers from the House :

Report of the Committee on Financial Affairs, on (H. R. 28)  
 resolve in favor of the town of Frenchville, formerly Dickeyville,  
 that the same ought not to pass ;

Report of the same Committee, on (H. R. 29) resolve in favor  
 of the town of Fort Kent, that the same ought not to pass ;

\* Were recommitted in concurrence.

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Report of the Committee on Financial Affairs, on the petition  
 of the directors of the Maine General Hospital, submitting (H. R.  
 88) 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.

Subsequently, Mr. BOARDMAN moved a reconsideration of  
 the foregoing vote, and this motion was laid on the table and this  
 afternoon at three o'clock was assigned for its consideration.

Report of the Committee on the Judiciary, on bill (H. R. 85)  
 additional to an act to incorporate the city of Bath, that the same  
 ought to pass, was accepted, the bill read twice, the rules being  
 suspended, and passed to be engrossed in concurrence.

H. R. 172. Bill to amend chapter 202 of the public laws of 1877, "an act relating to normal schools," was read twice, the rules being suspended, and passed to be engrossed in concurrence.

H. R. 89. Resolve to make valid the survey of letter E plantation in Franklin county, was referred to the next Legislature in concurrence.

H. R. 57. Resolve for the appointment of a commission to revise the militia laws, came up indefinitely postponed in concurrence.

H. R. 138. Bill to incorporate the Fairfield Boom Company, indefinitely postponed by the Senate, came up, and the House insists upon its passage, and proposes a Committee of Conference, with conferees appointed as follows :

Messrs. Starbird of Fairfield, Strickland of Bangor and Smith of Waterville.

\*347 *Resolved*, That the Senate insists and concurs \*in the proposed conference, and

Messrs. Totman of Somerset, Boardman of Waldo and Burleigh of Aroostook were appointed conferees.

The following printed bill and resolve :

S. 60. Bill to amend section 41 of chapter 113 of the revised statutes, relating to arrests for taxes ;

S. 27. Resolve for an investigation relating to elections in certain towns and plantations ;

Were each read once and this afternoon assigned for their second reading.

On motion by Mr. MORRISON,

S. 2. Bill to establish a municipal court in the town of Farmington, was taken from the table.

The vote was reconsidered whereby the Senate passed the 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.

Mr. MARTIN moved to reconsider the vote whereby the Senate indefinitely postponed the bill (H. R. 63) to amend section 66 of

chapter 82 of the revised statutes, relating to juries, and this motion was laid on the table and to-morrow at 11 o'clock A. M. was assigned for its consideration.

On motion by Mr. NEALLEY,

*Ordered*, That a message be sent to the Governor, requesting the return of a bill (H. R. 124) to authorize Abial D. Knapp and Woodbury S. Knapp to navigate Androscoggin pond and Dead river in the towns of Wayne and Leeds, Wing's pond in Wayne, \*Lovejoy's pond in Wayne, Readfield and Fayette, \*348 Crotched pond in Readfield, Fayette and Mt. Vernon, by steam.

The message was conveyed by the Secretary, and in response thereto the bill was returned to the Senate.

On motion by Mr. NEALLEY,

The votes were reconsidered whereby the Senate passed the bill to be enacted and 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.

On motion by Mr. WOODWARD,

H. R. 148. Bill to repeal chapter 149 of the public laws of 1877, relating to executions, was taken from the table and read a second time, and

On motion by Mr. DAVIS of Penobscot,

*Ordered*, That the bill lie on the table.

On motion by Mr. MORRISON,

H. R. 62. Resolve in favor of a road leading from Kingfield to Eustis, was taken from the table and read a second time.

On the question of concurring with the House in refusing the resolve a passage, it was determined in the affirmative, { Yeas... 18  
Nays... 7

On motion by Mr. MARTIN,

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

Those who voted in the affirmative are:

Messrs. Boardman, Bragdon, Cobb, Davis of Cumberland, Davis of Penobscot, Drake, Ferguson, Grindle, Hassell, Irish, Learned, Martin, Moody, \*Nealley, Phillips, Prince, Stev- \*349  
ens and Woodward—18.

Those who voted in the negative are :

Messrs. Bartlett, Burleigh, Morrison, Nash, Sumner, Tolman, and Totman—7.

So the resolve was refused a passage in concurrence.

On motion by Mr. PRINCE,

S. 17. Bill to amend section 40, chapter 140 of the revised statutes, relating to term of imprisonment of convicts in the State prison, was taken from the table, and

*Resolved*, That it be indefinitely postponed.

Sent down for concurrence.

On motion by Mr. COBB,

S. 73. Bill to locate, erect and carry on a new hospital for the insane, was taken from the table, and

*Ordered*, That three o'clock P. M. be assigned for its consideration.

On motion by Mr. STEVENS,

S. 5. Bill to amend chapter 82 of the revised statutes, relating to evidence, was taken from the table.

The question being on the motion by Mr. Nealley, that the bill be indefinitely postponed, it was determined in the affirmative,

Yeas .....	15
	Nays .....

On motion by Mr. PHILLIPS,

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

Those who voted in the affirmative are :

Messrs. Boardman, Bragdon, Burleigh, Davis of Penobscot, \*350 Drake, Grindle, Haynes, Irish, Learned, \* Martin, Morrison, Nash, Nealley, Phillips and Totman—15.

Those who voted in the negative are :

Messrs. Bartlett, Cobb, Moody, Stevens, Sumner, Tolman and Woodward—7.

So the bill was indefinitely postponed.

Sent down for for concurrence.

On motion by Mr. BARTLETT,

*Ordered*, That the Secretary of State be directed to furnish blanks to the municipal officers of the different cities, towns and plantations in this State, requiring them to make returns to him

on or before the first day of September next, giving the name, number, age, sex, pecuniary circumstances and degree of insanity of all insane people within their limits, and report the same to the next Legislature.

Mr. HAYNES, chairman of the Committee of the Whole, (in convention) reported the following :

WHEREAS, The Committee of the Whole of the Legislature have had under consideration the subject of a new Insane Hospital, and having listened with deep interest to the able arguments therefor, are fully impressed with the importance of the subject and the necessity of immediate action thereon ; therefore,

*Resolved*, That the Committee recommend the subject matter to the most favorable consideration of the Legislature, and

*Ordered*, That the preamble and resolution be referred to the Committee on Insane Hospital.

Sent down for concurrence.

On motion by Mr. TOLMAN, \*at 45 minutes past 11 \*351 o'clock A. M.,

The Senate took a recess for 30 minutes.

#### A QUARTER-PAST TWELVE O'CLOCK.

On motion by Mr. STEVENS,

S. 29. Resolve in favor of the town of Alexander and eighteen other towns, was taken from the table and read once, and pending the assignment for its second reading,

On motion by Mr. NEALLEY, at 10 minutes before one o'clock P. M.,

The Senate adjourned.

#### AFTERNOON—THREE O'CLOCK.

Papers from the House :

H. R. 90. Resolve authorizing a temporary loan, came up passed to be engrossed, and was read twice, the rules being suspended, and passed to be engrossed in concurrence.

S. 16. Resolve in favor of the State Prison, passed to be engrossed by the Senate, came up amended per sheets "A" and "B," and passed to be engrossed.

The Senate receded, House amendment "A" was disagreed to.

On the question of agreeing to House amendment "B," it was determined in the affirmative, { Yeas ..... 15  
 { Nays ..... 11

\*352 \* On motion by Mr. BRAGDON,

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

Those who voted in the affirmative are :

Messrs. Boardman, Cobb, Davis of Cumberland, Davis of Penobscot, Drake, Grindle, Hassell, Haynes, Learned, Nash, Neale, Sumner, Tolman, Totman and Woodward—15.

Those who voted in the negative are :

Messrs. Bailey, Bartlett, Bragdon, Burleigh, Ferguson, Irish, Martin, Morrison, Phillips, Prince and Stevens—11.

So the amendment was agreed to.

Mr. DAVIS of Cumberland proposed an amendment marked "D," which was agreed to, and the resolve, as amended, passed to be engrossed.

Report of the Committee on Military Affairs, on the petition of the Female Orphan Asylum of Portland, submitting (H. R. 91) resolve in favor of the Female Orphan Asylum of Portland, was accepted, the resolve read and indefinitely postponed in concurrence.

Subsequently, on motion by Mr. BAILEY,

The foregoing vote was reconsidered, the resolve read twice and passed to be engrossed.

Sent down for concurrence.

Report of the same Committee, on the petition of Walter Brown and others, submitting (H. R. 92) resolve in favor of the Bangor Children's Home, was accepted, the resolve read twice, the rules being suspended, House amendment "A" was disagreed to, the Senate non-concurred in the indefinite postponement of the resolve, and the same was passed to be engrossed.

\*358 \* Sent down for concurrence.

H. R. 121. Bill to regulate and protect fisheries and the propagation of fish, amended per sheets Nos. 1 to 8, inclusive, by the Senate and passed to be engrossed, came up with Senate amendments Nos. 2, 4, 5 and 6 agreed to, Senate amendment No. 1 amended per sheet "C" and adopted, Senate amendment No. 3

amended per sheet "D" and adopted, Senate amendment No. 7 rejected, the bill further amended per sheets "E," "F" and "G," and the bill, as amended, passed to be engrossed.

[NOTE—It appears from the House endorsement that Senate amendment No. 8 was not considered in that branch.]

The Senate receded, Senate amendment No. 8 was withdrawn, No. 7 was rejected in concurrence, House amendments "C" and "D" to Senate Nos. 1 and 3 were respectively agreed to, House amendments "E," "F" and "G" were agreed to, and the bill, as amended, passed to be engrossed in concurrence.

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.

Mr. COBB, from the Committee on Insane Hospital, reported that they have acted upon all matters referred to them.

The report was accepted.

Sent down for concurrence.

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

S. 27. Resolve for an investigation relating to elections in certain towns and plantations, which was read a second time and passed \*to be engrossed. \*354

Sent down for concurrence.

The same Committee also reported the following bill:

S. 60. Bill to amend section 41, chapter 113 of the revised statutes, relating to arrests for taxes, which was read a second time, and

On motion by Mr. PHILLIPS,

*Ordered*, That it lie on the table.

Subsequently, on motion by Mr. PHILLIPS,

The foregoing bill was taken from the table and passed to be engrossed.

Sent down for concurrence.

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

S. 41. An act to repeal chapter 178 of the public laws of 1877, in relation to demurrers;

H. R. 16. An act to amend section 7, chapter 4 of the revised statutes, relating to the public debt;

H. R. 79. An act to incorporate the Kennebec Association for the protection of fish and game;

H. R. 112. An act to amend section 12 of chapter 122 of the revised statutes, relating to corrupt agreements by attorneys and others;

H. R. 136. An act to provide schools for the training of teachers in Madawaska territory;

H. R. 156. An act to amend section 8 of chapter 120 of the revised statutes, relating to larceny;

H. R. 158. An act to amend sections 21 and 28 of chapter 113 of the revised statutes, relating to relief of poor debtors;

H. R. 159. An act to amend chapter 48 of the public laws of 1875, relating to the public debt;

\*355 \*H. R. 162. An act to regulate the disbursement of public funds by the treasurer of Cumberland county;

S. 53. An act to amend section 10 of chapter 218 of the public laws of 1877, relating to savings banks;

S. 26. Resolve providing for the purchase and distribution of Plaisted and Appleton's Digest of the Maine Reports;

H. R. 85. Resolve in favor of the Maine State College of Agriculture and the Mechanic Arts;

H. R. 87. Resolve in favor of Nathan Perry;

Which several bill were each passed to enacted, and the resolves were finally passed in concurrence.

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

H. R. 106. An act to provide for the office of crier in the various courts in the State.

On motion by Mr. DAVIS of Penobscot,

*Ordered*, That it lie on the table.

Mr. BRAGDON, from the Committee of Conference on the disagreeing votes of the two branches, on the following resolves:

H. R. 11. Resolve in favor of Eugene Michaud;

H. R. 12. Resolve in favor of Mrs. Ellebert Michaud;

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.

Papers from the House :

H. R. 6. Resolve providing for payment for additional services and expenses imposed upon the bank examiner by the savings bank act approved \*February 9, 1877, came from the \*356 House indefinitely postponed, and was indefinitely postponed in concurrence.

H. R. 39. Bill to amend section 39 of chapter 18 of the revised statutes, relating to ways, was indefinitely postponed in concurrence.

S. 78. Bill additional to "an act in aid of free high schools," approved February 24, 1873, was indefinitely postponed in concurrence.

On motion by Mr. BOARDMAN,

The Senate proceeded to the consideration of the motion to reconsider the vote whereby the Senate passed to be engrossed (H. R. 88) resolve in favor of the Maine General Hospital.

The motion to reconsider was determined in the negative,

{ Yeas . . . . .	10
{ Nays . . . . .	15

On motion by Mr. DAVIS of Cumberland,

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

Those who voted in the affirmative are :

Messrs. Boardman, Bragdon, Cobb, Ferguson, Grindle, Irish, Learned, Martin, Nash and Prince—10.

Those who voted in the negative are :

Messrs. Bailey, Bartlett, Burleigh, Davis of Cumberland, Davis of Penobscot, Drake, Hassell, Haynes, Nealley, Phillips, Stevens, Sumner, Tolman, Totman and Woodward—15.

So the Senate refused to reconsider the vote.

On motion by Mr. COBB,

S. 73. Bill to locate, erect and carry on a new hospital for the insane, was taken from the table and read a second time.

Mr. STEVENS proposed an amendment marked "A."

\* Mr. NEALLEY proposed an amendment marked "B." \*357

Mr. BAILEY proposed an amendment marked "C."

Mr. DAVIS of Penobscot proposed an amendment marked "D."

These several amendments were agreed to, and the bill, as amended, passed to be engrossed.

Sent down for concurrence.

On motion by Mr. BAILEY,

S. 23. Resolve in favor of St. Elizabeth Orphan Asylum of Portland, was taken from the table.

Mr. SUMNER moved that the resolve be indefinitely postponed, and on this question it was determined in the negative,

tive, {	Yeas .....	12
	Nays .....	13

On motion by Mr. SUMNER,

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

Those who voted in the affirmative are :

Messrs. Boardman, Bragdon, Cobb, Ferguson, Grindle, Learned, Martin, Moody, Nash, Phillips, Prince and Sumner—12.

Those who voted in the negative are :

Messrs. Bailey, Bartlett, Burleigh, Davis of Cumberland, Davis of Penobscot, Drake, Hassell, Hobson, Irish, Nealley, Stevens, Tolman and Woodward—13.

So the motion was disagreed to.

The resolve passed to be engrossed.

Sent down for concurrence.

The Senate resumed consideration of (S. 29) resolve in favor of the town of Alexander and eighteen other towns, under consideration at adjournment.

The resolve was read a second time, the rules being suspended.

\*358 \* On motion by Mr. HAYNES,

*Ordered*, That the resolve, and the report of the Committee relating to the claim of the town of Alexander and eighteen other towns, be referred to the Attorney General and Adjutant General, with instructions to report to the Governor and Council.

Sent down for concurrence.

On motion by Mr. NEALLEY, at 5 minutes past 7 o'clock P. M.  
The Senate adjourned.

## THURSDAY, FEBRUARY 21, 1878.

Senate met according to adjournment.

Prayer by Rev. Mr. NEWCOMBE of Hallowell.

On motion by Mr. TOLMAN,

*Ordered*, That the reading of the Journal of yesterday be omitted.

The several bills which were passed to be enacted, and the resolves which were finally passed in concurrence at the previous session, 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 Legal Affairs, on an order, submitting a bill (H. R. 173) to amend section \*9 of chapter 116 of the revised statutes, relating to board of prisoners in jails, was accepted, the bill read twice, the rules being suspended, and passed to be engrossed in concurrence.

Report of the same Committee, on bill (H. R. 56) in relation to right of action between husband and wife, that the same ought not to pass ;

Report of the same Committee, on the petition of W. W. Thomas and others, for the establishment of a State board of health, that the petitioners have leave to withdraw ;

Were accepted in concurrence.

S. 82. Bill to define the qualifications of town officers, came from the House indefinitely postponed.

The Senate recessed and concurred.

On motion by Mr. TOLMAN,

*Ordered*, That the Hon. J. Wyman Phillips be excused from further attendance, and that the Secretary make up his pay for the session.

Mr. PRINCE, from the Select Committee on the number and pay of the officers of the Senate, not provided by law, reported as follows :

That the officers of the Senate consist of a Messenger, Assistant Messenger, Folder, Page, Reporter and Chaplains, and their pay shall be as follows: Messenger \$150, Assistant Messenger \$150, Folder \$100, Page \$75, Reporter \$100, with the usual travel, the Chaplains \$3.00 for each attendance. The Secretary of the Senate is instructed to make up the pay-roll accordingly.

On motion by Mr. HAYNES,

*Ordered*, That it lie on the table.

\*360 \* Mr. BARTLETT, from the Committee on Financial Affairs, on (H. R. 28) resolve in favor of the town of Frenchville, formerly Dickeyville, and on (H. R. 29) resolve in favor of the town of Fort Kent, reported (S. 31) resolve in favor of the towns of Fort Kent and Frenchville.

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. BRAGDON,

H. R. 106. Bill to provide for the office of crier in the various courts in the State. was taken from the table and passed to be enacted in concurrence, and having been signed by the President, was by the Secretary presented to the Governor for his approval.

On motion by Mr. HAYNES,

The vote was reconsidered whereby the Senate passed to be engrossed (S. 16) resolve in favor of the State Prison, and the vote was reconsidered whereby the Senate agreed to House amendment "B" to the resolve.

The same Senator proposed an amendment marked "C" to said House amendment "B," which was agreed to, amendment "B," as amended, was agreed to, and the resolve, as amended, passed to be engrossed.

Sent down for concurrence.

On motion by Mr. HAYNES,

S. 67. Bill for a uniform rule in the scale of logs and timber, was taken from the table.

\*361 The votes were reconsidered whereby the Senate \* passed the bill to be engrossed and adopted Senate amendment "A." Amendment "A" was disagreed to.

The same Senator 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. PHILLIPS,

The vote was reconsidered whereby the Senate referred to the Attorney General and Adjutant General the report of the Committee on the Judiciary, with accompanying resolve (S. 29) in favor of the town of Alexander and eighteen other towns.

The same Senator presented (S. 30) resolve relating to the town of Alexander and eighteen other towns, which was read twice, the rules being suspended, and passed to be engrossed.

Sent down for concurrence.

On motion by Mr. PHILLIPS,

The report of the Committee on Education, on an order relating to reducing the amount required to be raised per capita for the support of schools from eighty to seventy cents, that legislation thereon is inexpedient, together with the report of the minority of the Committee, submitting (S. 76) bill to amend section 5 of chapter 56 of the public laws of 1872, relating to the support of schools, was taken from the table.

The report was accepted.

Sent down for concurrence.

The Senate proceeded to the consideration of the motion by Mr. Martin, that the vote be reconsidered whereby the Senate \*indefinitely postponed the bill (H. R. 63) to amend \*362 section 66 of chapter 62 of the revised statutes, relating to juries.

The motion was disagreed to.

On motion by Mr. DAVIS of Penobscot,

H. R. 148. Bill to repeal chapter 149 of the public laws of 1877, relating to executions, was taken from the table, and

*Resolved*, That it be indefinitely postponed.

The foregoing were sent down for concurrence.

On motion by Mr. NEALLEY, at 40 minutes past 11 o'clock A. M.,

The Senate took a recess of 20 minutes.

## TWELVE O'CLOCK MERIDIAN.

Papers from the House :

Report of the Committee of Conference, on the disagreeing votes of the two branches on bill (II. R. 138) to incorporate the Fairfield Boom Corporation, that the Senate recede and concur with the House, was accepted, and the Senate receded and the bill passed to be engrossed in concurrence.

S. 16. Resolve in favor of the State Prison, amended per sheets "C" and "D" and passed to be engrossed by the Senate, came from the House, and that branch adheres.

The Senate receded and rejected Senate amendments "C" and "D," and the resolve passed to be engrossed in concurrence.

S. 67. Bill for a uniform rule in the scale of logs and timber, came up, and the House adheres to its vote to indefinitely postpone the bill.

\*363 \*The Committee on Engrossed Bills reported as truly and strictly engrossed the following bills and resolves :

H. R. 73. Resolve in aid of building a bridge in the town of Caribou ;

H. R. 164. An act to extend the jurisdiction and authority of county commissioners ;

H. R. 160. An act to provide additional remedies for the enforcement of judgments ;

H. R. 172. An act to amend chapter 202 of the public laws of 1877, entitled "an act relating to normal schools ;"

H. R. 72. An act to provide suitable means of egress from buildings used for assemblages of citizens ;

H. R. 170. An act to authorize the town of Gorham, or any of its school districts, to raise money for providing buildings for the normal school established in said town ;

H. R. 169. An act to authorize the trustees of Gorham Seminary to convey the property of said corporation for the use and purposes of the normal school established at Gorham ;

H. R. 143. An act to regulate and protect the shore fisheries ;

H. R. 168. An act to authorize the town of Brunswick to fund its debt and issue its bonds therefor ;

H. R. 85. An act additional to an act to incorporate the city of Bath ;

H. R. 165. An act additional to chapter 136 of the special laws of 1872, entitled "an act authorizing the citizens of Isle au Haut to allow their cattle to run at large on that island ;

H. R. 113. An act in relation to the duties of \*county \*364 attorneys and additional to chapter 79 of the revised statutes ;

S. 79. An act to amend an act relating to the Maine Industrial School for Girls ;

S. 81. An act to legalize the organization of certain plantations in Aroostook county ;

S. 45. An act in regard to renewal of trial justice executions ;

S. 23. Resolve in favor of the Secretary of the Senate ;

H. R. 79. Resolve relating to the Passamaquoddy Indians ;

H. R. 86. Resolve in favor of Sprague, Owen and Nash ;

H. R. 1. Resolve in favor of Nathaniel Blake ;

H. R. 14. Resolve to carry into effect the provisions of chapter 149 of the resolves of 1869 ;

Which several bills were each passed to be enacted, and the resolves were finally passed in concurrence, and having been signed by the President were by the Secretary presented to the Governor for his approval.

On motion by Mr. NEALLEY, at 10 minutes before one o'clock P. M., .

The Senate adjourned.

#### AFTERNOON—THREE O'CLOCK.

Papers from the House :

S. 20. Bill to amend chapter 363 of the special laws of 1877, relating to the throwing of refuse into the \*Piscata- \*365 quis river, passed to be engrossed by the Senate, came from the House amended per sheet "A," by striking out the word "boards" and inserting "*board*," and passed to be engrossed.

The Senate receded and concurred.

S. 84. Bill to amend chapter 232 of the public laws of 1874, relating to the collection of taxes, passed to be engrossed by the Senate, came from the House indefinitely postponed, and

*Resolved*, That the Senate adheres.

On motion by Mr. MARTIN,

*Ordered*, That the Hon. Lloyd W. Drake be excused from

attendance after this day, and that the Secretary make up his pay for the session.

Papers from the House :

S. 73. Bill to locate, erect and carry on a new hospital for the insane, came from the House with resolve authorizing the appointment of a commission on the matter of a new insane hospital substituted for the bill, and indefinitely postponed, and

On motion by Mr. COBB,

*Resolved*, That the Senate non-concurs with the House, and refers the bill to the next Legislature.

Sent down for concurrence.

On motion by Mr. BRAGDON,

The Senate took a recess until 20 minutes past 4 o'clock P. M.

TWENTY MINUTES PAST FOUR O'CLOCK.

Papers from the House :

\*366 Report of the Committee on Financial Affairs, \*on an order relating to the reduction of salaries, submitting a bill (H. R. 174) in relation to the salary of insurance commissioner;

Report of the Committee on the Judiciary, on the petition of Emeline A. Prescott and others for equal political rights irrespective of sex, submitting a bill (H. R. 175) to amend section 9 of chapter 3 of the revised statutes, relating to towns;

Were accepted, the bills each read once and indefinitely postponed in concurrence.

On motion by Mr. HAYNES,

The report of the Select Committee on the number and pay of the officers of the Senate, was taken from the table.

The same Senator moved to amend by striking out the word and figures, " Reporter \$100," which was agreed to, and

On motion by Mr. GRINDLE,

*Resolved*, That the report be indefinitely postponed.

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

H. R. 30. An act in relation to the insolvent laws of Maine;

S. 20. An act to amend chapter 363 of the special laws of 1877, relating to the throwing of refuse into the Piscataquis river;

S. 48. An act authorizing the location of a way over the tide waters of Georges river, Thomaston ;

S. 77. An act to amend chapter 107 of the public laws of 1876, entitled "an act additional to chapter 4 of the revised statutes, relating to elections ;"

S. 61. An act to repeal chapter 200 of the public laws of 1877, entitled "an act additional to chapter 30 \* of the \*367 revised statutes, relating to mischievous dogs ;"

S. 70. An act to establish the salary of the clerk of courts for the county of Penobscot ;

H. R. 110. An act relating to building and maintaining the lock in the dam across the Kennebec river at Augusta ;

H. R. 124. An act to authorize Abial D. Knapp and Woodbury S. Knapp to navigate Androscoggin pond and Dead river in the towns of Wayne and Leeds, Wing's pond in Wayne, Lovejoy's pond in Wayne, Readfield and Fayette, Crotched pond in Readfield, Fayette and Mt. Vernon, by steam ;

S. 2. An act to establish a municipal court in the town of Farmington ;

Which several bills were each passed to be enacted in concurrence, and having been signed by the President, were by the Secretary presented to the Governor for his approval.

On motion by Mr. FERGUSON,

*Ordered*, That when the Senate adjourns it be to meet this evening at half-past seven o'clock.

On motion by Mr. GRINDLE, at 40 minutes past 5 o'clock P. M.,

The Senate adjourned.

#### EVENING—HALF-PAST SEVEN O'CLOCK.

S. 32. Resolve on the pay-roll of the Senate, was read twice, the rules being suspended, and passed to be engrossed.

Sent down for concurrence.

\* On motion by Mr. MARTIN, at 30 minutes past eight \*368 o'clock P. M.,

The Senate took a recess until a quarter before nine.

## A QUARTER BEFORE NINE O'CLOCK.

Papers from the House :

H. R. 93. Resolve on the pay-roll of the House was read twice, the rules being suspended, and passed to be engrossed in concurrence.

Report of the Committee on Pensions, on the petition of Benj. Smith for pension, that the petitioner have leave to withdraw, accepted by the Senate, came from the House referred to the Governor and Council.

The Senate recessed and concurred.

The following order :

That the Secretary of State be directed to furnish blanks to the municipal officers of the different cities, towns and plantations in this State, requiring them to make returns to him on or before the first day of September next, giving the name, number, age, sex, pecuniary circumstances and degree of insanity, of all insane people within their limits, and report the same to the next Legislature, passed by the Senate, came from the House amended by inserting after the word "insanity" the words, "*and condition*," and by inserting after the word "insane" the words, "*and idiotic*."

The amendments were agreed to and the order passed in concurrence.

H. R. 176. Bill to provide in part for the expenditures of \*369 government, was read twice, the rules \*being suspended, and passed to be engrossed in concurrence.

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

H. R. 121. An act to regulate and protect fisheries and the propagation of fish ;

H. R. 171. An act for the assessment of a State tax for the year one thousand eight hundred and seventy-eight, amounting to the sum of eight hundred ninety-nine thousand seven hundred twelve dollars and seventy cents ;

H. R. 173. An act to amend section 9 of chapter 116 of the revised statutes, relating to board of prisoners in jails ;

S. 23. Resolve in favor of St. Elizabeth Orphan Asylum of Portland ;

H. R. 90. Resolves authorizing a temporary loan ;

- S. 16. Resolve in favor of the State Prison ;
- S. 21. Resolve for repairing bridge over Molunkus stream in Macwahoc plantation ;
- S. 27. Resolve for an investigation relating to elections in certain towns and plantations ;
- S. 25. Resolve in favor of the Military and Naval Asylum at Bath ;
- S. 30. Resolve relating to the town of Alexander and eighteen other towns ;
- H. R. 88. Resolve in favor of the Maine General Hospital ;
- H. R. 91. Resolve in favor of the Female Orphan Asylum of Portland ;
- H. R. 92. Resolve in favor of the Bangor Children's Home ;
- S. 32. Resolve on the pay-roll of the Senate ;
- S. 31. Resolve in favor of the towns of Fort Kent \* and \*370 Frenchville ;
- H. R. 93. Resolve on the pay-roll of the House ;
- H. R. 138. An act to incorporate the Fairfield Boom Corporation ;
- H. R. 157. An act concerning tramps ;
- S. 83. An act to amend section 25 of chapter 6 of the revised statutes, relating to the assessment and collection of taxes ;
- S. 60. An act to amend section 41 of chapter 113 of the revised statutes, relating to arrests for taxes ;
- H. R. 176. An act to provide in part for the expenditures of government ;

Which several bills were each passed to be enacted, and the resolves were finally passed in concurrence, and having been signed by the President, were by the Secretary presented to the Governor for his approval.

A message was received from the House by Mr. Webb of Windham, 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. NEALLEY,

*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 the Secretary.

On motion by Mr. NEALLEY,

*Ordered*, That a Committee of three on the part of the 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  
 \*371 \*to receive any communication he may be pleased to make, and

Messrs. Nealley of Penobscot, Martin of Knox and Cobb of Androscoggin, were appointed on the part of the Senate.

Sent down for concurrence.

Subsequently came back concurred, with

Messrs. Murray of Pembroke, Smith of Waterville, Pillsbury of Lewiston, Richardson of Portland, Young of Brunswick, Weymouth of Oldtown and Simpson of Searsport, joined on the part of the House.

Mr. NEALLEY, 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 communication from the Governor :

#### STATE OF MAINE.

EXECUTIVE DEPARTMENT, }  
 Augusta, February 21, 1878. }

*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 me, numbering 178 Acts and 99 Resolves.

I have no further communication to make.

(Signed)

SELDEN CONNOR.

\*372 \*Titles of Acts passed by the present Legislature and approved by the Governor :

An act to amend chapter 391 of the laws of 1873, entitled "an act to incorporate the Evans Rifle Manufacturing Company."

An act to amend an act entitled "an act to authorize the build-

ing of a dyke or dam across Dyke Branch stream in the town of Columbia, county of Washington."

An act to increase the capital stock of the Augusta Water Company.

An act additional to chapter 127 of the revised statutes, in relation to malicious mischief and trespasses on property.

An act to incorporate the Crystal Dam Company.

An act providing for the payment of certain rents now in suit to the agent of the Penobscot Indians.

An act to amend section 7 of chapter 180 of the special laws of 1872, entitled "an act to authorize the city of Portland to aid the construction and western extensions of the Portland and Rochester Railroad."

An act to authorize the sale of the Union Meeting House at North Vassalborough, with furniture and fixtures therewith connected.

An act to make legal the doings of the North and West Auburn Cheese Company in the city of Auburn.

An act to change the name of Nancy S. Hubbard.

An act to amend an act granting to Ransom B. Abbott the right to establish and maintain a \* ferry between Sulli- \*373: van and Hancock.

An act to amend section 32, chapter 4 of the revised statutes, as amended by chapter 213 of the public laws of 1877, relating to elections.

An act to amend chapter 124, section 18, of the revised statutes, relating to camp-meetings.

An act to make valid the doings of the assessors of No. 6 plantation for the years 1876 and 1877.

An act to authorize the town of Hampden to receive money to keep in repair any cemeteries in said town.

An act to incorporate the Cumberland Club of Portland.

An act to amend section 2 of chapter 106 of the revised statutes, relating to the lists and qualifications of jurors.

An act to authorize the Portland and Ogdensburg Railroad Company to issue preferred stock, and for other purposes.

An act to amend chapter 218 of the public laws of 1877, relating to savings banks.

An act to amend chapter 192 of the public laws of the year 1877, providing for bridge guards on railroads.

An act to amend section 56 of chapter 38 of the revised statutes, relating to the weight of corn, and grain, meal, vegetables, and hair.

An act additional to chapter 68 of the revised statutes, relating to the appointment of trustees.

An act authorizing Frank Sawtelle to dredge bars, remove boulders and navigate Snow's pond, by steam.

An act to amend section 1 of chapter 223 of the public laws of 1871, relating to fares on railroads.

\*374 \* An act to amend chapter 346 of the special laws of 1877, entitled "an act to promote the efficiency of the police force of the city of Portland."

An act granting the towns surrounding Toddy pond, in Hancock county, the right to build and maintain a bridge across said pond.

An act to amend chapter 75 of the special laws of 1866, entitled "an act creating the South Paris Village Corporation."

An act to facilitate the prompt administration of justice by establishing a Superior Court in the county of Kennebec.

An act to incorporate the Pythian Hall Association of Portland.

An act to make valid the doings of Benjamin True as a justice of the peace and quorum.

An act additional to chapter 371 of the private and special laws of 1877, entitled "an act to repeal an act entitled 'an act to incorporate the town of Barnard.'"

An act relating to the Penobscot tribe of Indians.

An act to amend section 12 of chapter 133 of the public laws of 1873, relating to the jail system of the State.

An act to confirm and make valid the doings of Union School District, composed of district No. 1 in the town of Carthage, district No. 19 in the town of Wilton, in the county of Franklin, and district No. 12 in the town of Dixfield, in the county of Oxford.

An act to abolish the August term of the Supreme Judicial Court in the county of Kennebec.

An act in relation to disorganized towns.

\*375 An act to amend section 32 of chapter 65 of the \* revised statutes, granting to guardians and trustees power to assign mortgages and mortgage debts.

An act to make valid the doings of school district 18 in the town of Gorham.

An act additional to "an act to establish the Atlantic and St. Lawrence Railroad Company."

An act in relation to the police court for the city of Belfast.

An act authorizing the Bates Manufacturing Company to reduce the par value of its stock and to issue new shares.

An act to extend the time for locating and constructing the Piscataquis Central Railroad.

An act to amend the charter of the city of Ellsworth.

An act to incorporate the town of Hurricane Isle.

An act additional relating to the Portland and Deering Railroad Company.

An act to amend chapter 76 of the revised statutes, relating to levy of executions upon estates held in joint tenancy or in common.

An act to amend and extend the acts in relation to the Wiscasset and Quebec Railroad Company, the Messalonskee and Kennebec Railroad Company, and the Somerset Railroad Company.

An act to authorize reduction of capital stock of corporations.

An act to prevent frauds in commercial fertilizers.

An act to amend section 11 of chapter 95 of the revised statutes, relating to actions of trespass.

An act amendatory of "an act to provide for the organization of business corporations."

An act to prevent the killing of deer in the \*county of \*376 Waldo.

An act for the further protection and propagation of eels in Damariscotta river and pond.

An act to amend chapter 11 of the revised statutes, in relation to the right of plantations to receive their proportion of the State school fund.

An act to protect the breeding of trout in Perkins brook, so called, in the towns of North Berwick, Wells and Sanford, in the county of York.

An act to amend section 2 of chapter 267 of the public laws of 1873, relating to rents of island shores.

An act to facilitate the transfer to the United States of the title to the Antietam National Cemetery, in the State of Maryland.

An act to incorporate the Square Pond Reservoir Company.

An act to change the name of Rufus Edwin Bubier.

An act to change the names of Amelia and Adelia Bullock.

An act to make valid the doings of the town of Limestone, in the county of Aroostook.

An act to amend chapter 185 of the public laws of 1877, relating to life insurance.

An act to amend section 50 of chapter 40 of revised statutes, relating to migratory fishes in Damariscotta river.

An act to prohibit the taking of fish from Withee's pond and its tributaries, in the town of Dover.

An act to amend chapter 19, section 10, of the revised statutes, relating to the law of roads.

An act to vest the franchise and property of the proprietors of Merrymeeting bridge in the inhabitants of the county of Sagadahoc.

\*377 \* An act to amend section 6 of chapter 60 of revised statutes, relating to actions of divorce.

An act for the protection and preservation of bass in the waters of Winnegance creek.

An act relating to coroners.

An act to amend section 26 of chapter 90 of the public laws of 1876, in relation to lime rock and slate.

An act to amend section 1 of chapter 58 of the public laws of 1876, relating to auctioneers.

An act for the protection of smelts in Bagaduce river and tributaries, in the county of Hancock.

An act to encourage the development of the mining interests of the State.

An act to abolish the organization of plantation No. 6, in the county of Franklin.

An act to create a lien on hemlock bark.

An act to amend chapter 141 of the public acts of 1876, relating to the settlement of the public lands.

An act to restrict fishing in Sanborn Brothers' pond in Baldwin.

An act to ratify, confirm and make valid the action of the city of Ellsworth, providing for the funding of its city debt.

An act to incorporate the Maine Rifle Club.

An act to amend an act entitled "an act to regulate the shad

and alewife fishery in the town of Warren, in the county of Lincoln," passed March 6, 1802.

An act to extend the time for organization of the Calais Railroad Company, incorporated by chapter 532 of the private laws of 1874.

An act to incorporate the Bangor Board of Trade.

\* An act to prevent the taking of fish from Dexter pond, \*378 in the county of Penobscot, for the term of three years.

An act to amend chapter 120 of the special laws of 1872, entitled "an act to incorporate the Penobscot Central Railroad Company."

An act to make valid the acts of the Lyndon Union Meeting-house Association of Caribou.

An act to provide for the improvement of the navigation of the Souedehunk stream for log driving.

An act to prevent the throwing of refuse lumber into the Patens Pond stream, in Surry, Hancock county.

An act to amend chapter 258 of the public laws of 1874, entitled "an act relating to taxation of railroad companies."

An act for the protection of sturgeon in the waters of the Kennebec river and its tributaries.

An act to set off a part of the town of Parkman, in the county of Piscataquis, and annex the same to the town of Guilford, in said county.

An act to set off certain property from Oxford Village Fire Engine Corporation.

An act to encourage the provision of means for the extinguishment of fires.

An act additional to chapter 49 of the revised statutes, relating to life insurance.

An act to extend the charter of the Aroostook Steamboat Company.

An act to incorporate the Deer Isle and Sedgwick Steam Ferry Company.

An act to incorporate the Machiasport and Machias Telegraph Company.

An act to amend the charter of the city of Augusta.

\* An act to incorporate the Presumpscot Water Power \*379 Company.

An act to prohibit the taking of fish from Field's pond, in the town of Orrington, and from Brewer's pond, in the towns of Orrington and Bucksport.

An act to prevent the throwing of refuse into the tributaries of Wilson pond.

An act to amend chapter 234 of the public laws of 1874, concerning tax titles.

An act relating to malicious mischief.

An act to amend section 2 of chapter 89 of the revised statutes, relating to reviews.

An act to amend an act entitled "an act to incorporate the Sandy River Valley Railroad Company."

An act amending chapter 124 of the public laws of the year 1876, relating to warehouses.

An act to incorporate the Springvale Aqueduct Company.

An act to incorporate the Portland Yacht Club.

An act additional to chapter 97 of the revised statutes, relating to bastard children and their maintenance.

An act to amend section 10 of chapter 120 of the public laws of the year 1876, entitled "an act to authorize the formation of railroad corporations."

An act for the better protection of the rights of towns.

An act additional to chapter 19 of the public laws of the year 1875, relating to the taxation of railroad companies.

An act to amend chapter 214 of the public laws of the year 1874, entitled "an act relating to ways across railroads."

\*380 \* An act to amend "an act to authorize the Maine Central Railroad Company to discontinue the use of a portion of its track."

An act to amend chapter 380 of the private and special laws of 1873, relating to schools in Madawaska territory.

An act to establish an additional normal school.

An act to amend an act entitled "an act to incorporate the city of Calais."

An act additional to chapter 218 of the acts of 1877, entitled "an act to revise and consolidate the laws relating to the government, powers, duties, privileges and liabilities of savings banks and institutions for savings."

An act relating to apprenticing of boys in Reform School.

An act providing for a canal at the head waters of Presumpscot river.

An act to consolidate, revise, and amend the various acts which constitute the charter of the Union Mutual Life Insurance Company..

An act to incorporate the St. Croix Lake Dam Company.

An act to amend section 30 of chapter 6 of the revised statutes, relating to taxation of corporate property.

An act to prevent the throwing of edgings, sawdust and other refuse into the waters of the harbor of Wiscasset.

An act additional to "an act to facilitate the prompt administration of justice by establishing a Superior Court in Kennebec county."

An act additional to an act entitled "an act to \*amend \*381 the charter of the city of Augusta," approved February 15, 1878.

An act to provide in part for the expenditures of government.

An act to make valid the doings of Oliver B. Trott as a justice of the peace and quorum.

An act to prevent the throwing of slabs and other refuse into the Kennebec river and its tributaries.

An act to more fully carry out the proviso of section 10 of the act of Congress, chapter 177, of the acts of 1868, making compensation for the lands assigned by Maine to settlers.

An act for the protection of game and birds.

An act additional to chapter 5 of the revised statutes, relating to the public lands.

An act to amend section 5 of chapter 386 of the special laws of the year 1873, entitled "an act to supply the cities of Lewiston and Auburn with pure water."

An act amendatory of section 2, chapter 124 of the public laws for the year 1873, as amended by the acts of 1874 and 1876, relating to free high schools.

An act in addition to chapter 51 of the revised statutes, relating to mortgages of corporations.

An act to change the name of the Malachite Mining Company.

An act in addition to chapter 49 of the revised statutes, in relation to life insurance.

An act to amend section 10 of chapter 218 of the public laws of 1877, relating to savings banks.

An act to amend chapter 48 of the public laws of 1875, relating to the public debt.

\*382 \* An act to amend section 12 of chapter 122 of the revised statutes, relating to corrupt agreements by attorneys and others.

An act to incorporate the Kennebec Association for the protection of fish and game.

An act to amend section 8 of chapter 120 of the revised statutes, relating to larceny.

An act to amend sections 21 and 28 of chapter 113 of the revised statutes, relating to relief of poor debtors.

An act to regulate the disbursement of public funds by the treasurer of Cumberland county.

An act to provide for the office of crier in the various courts of the State.

An act to repeal chapter 178 of the public laws of 1877, in relation to demurrers.

An act to amend section 7, chapter 4 of revised statutes, relating to voting lists.

An act to provide schools for the training of teachers in Madawaska territory.

An act to amend "an act relating to the Maine Industrial School for Girls."

An act to extend the jurisdiction and authority of county commissioners.

An act additional to chapter 136 of the special laws of 1872, entitled "an act authorizing the citizens of the Isle au Haut to allow their cattle to run at large on that island."

An act to legalize the organizations of certain plantations in Aroostook county.

An act in relation to the duties of county attorneys and additional to chapter 79 of the revised statutes.

An act to regulate and protect the shore fisheries.

\*383 \* An act to provide additional remedies for the enforcement of judgments.

An act to authorize the town of Brunswick to fund its debt and issue bonds therefor.

An act to authorize the trustees of Gorham Seminary to convey the property of said corporation for the use and purposes of the normal school established at Gorham.

An act to authorize the town of Gorham, or any of its school districts, to raise money for providing buildings for the normal school established in said town.

An act in regard to the renewal of trial justice executions.

An act additional to "an act to incorporate the city of Bath."

An act to amend chapter 202 of the public laws of 1877, entitled "an act relating to normal schools."

An act to provide suitable means of egress from buildings used for assemblages of citizens.

An act to authorize Abial D. Knapp and Woodbury S. Knapp to navigate Androscoggin pond and Dead river, in the towns of Wayne and Leeds, Wing's pond in Wayne, Lovejoy's pond in Wayne, Readfield and Fayette, Crotched pond in Readfield, Fayette and Mount Vernon, by steam.

An act to establish the salary of the clerk of courts for the county of Penobscot.

An act to establish a Municipal Court in the town of Farmington.

An act to amend chapter 363 of the special laws of 1877, relating to the throwing of refuse into the Piscataquis river.

An act authorizing the location of a way over the tide waters of Georges river in Thomaston.

\* An act to repeal chapter 200 of the public laws of \*384 1877, entitled "an act additional to chapter 30 of the revised statutes, relating to mischievous dogs."

An act relating to building and maintaining the lock in the dam across the Kennebec river at Augusta.

An act to amend chapter 107 of the public laws of 1876, entitled "an act additional to chapter 4 of the revised statutes, relating to elections."

An act in relation to the insolvent laws of Maine.

An act for the assessment of a State tax for the year 1878, amounting to the sum of \$899,712.70.

An act to regulate and protect fisheries and the propagation of fish.

An act to amend section 9 of chapter 116 of the revised statutes, relating to board of prisoners in jail.

An act to incorporate the Fairfield Boom Corporation.

An act to provide in part for the expenditures of government.

An act to amend section 25 of chapter 6 of the revised statutes, relating to the assessment and collection of taxes.

An act concerning tramps.

An act to amend section 41, chapter 113 of the revised statutes, relating to arrests for taxes.

Titles of Resolves passed by the present Legislature and approved by the Governor :

Resolve relating to the currency.

Resolve in favor of Franklin Simmons, sculptor.

\*385 \* Resolve in favor of Benjamin F. Allen.

Resolve in favor of William H. Scott.

Resolve in favor of Nelson Turney.

Resolve to amend chapter 133 of resolves of 1867.

Resolve in favor of the Joint Standing Committee on State Prison.

Resolve in favor of the Joint Standing Committee on Education.

Resolve relating to temperance.

Resolve in favor of the Joint Standing Committee on Reform School.

Resolve in favor of Lincoln E. Sprague.

Resolve in favor of William Conary.

Resolve in favor of Joseph M. Soccalexis.

Resolve to transfer certain records pertaining to the soldiers of the war of 1861 from the office of the Secretary of State to that of the Adjutant General.

Resolve for the purchase of the Maine State Year Book and Legislative Manual.

Resolve in favor of the Joint Standing Committee on Military Affairs.

Resolve relating to the purchase of Maine Reports.

Resolve in favor of the Passamaquoddy Indians.

Resolve in favor of Cyrus William King.

Resolve relating to lands held under conditional grants.

Resolve in favor of Baring and Houlton road across Indian township and Grand Lake Stream road in Washington county.

Resolve abating a portion of the State tax of Haynesville for the year 1877, and assessing the same on No. 3, range 2, Aroostook county.

Resolve in favor of George F. Foster of Portland.

\*386 \* Resolve in aid of the towns of Blanchard and Shirley.

Resolve in favor of the Joint Standing Committee on Financial Affairs.

Resolve in favor of Shepard I. Higgins.

Resolve in favor of Charles F. Collins.

Resolve in favor of Henry C. Spooner.

Resolve in favor of Charles C. Libby.

Resolve in favor of Cyrus T. Daniels.

Resolve in favor of James E. Holmes.

Resolve in favor of John S. Arnold.

Resolve in favor of Jeremiah Crouse.

Resolve in favor of Ezekiel Levasseur.

Resolve in favor of William Reed.

Resolve authorizing the conveyance of a lot of land in Crystal plantation.

Resolve in favor of Fred Barker.

Resolve in favor of L. D. and H. P. Todd.

Resolve in favor of Freeman Hayden.

Resolve making appropriations for the Penobscot tribe of Indians.

Resolves in favor of the town of Maysville.

Resolve in favor of Lydia A. Daniels.

Resolve in relation to the Documentary History of the State of Maine.

Resolve in favor of the Joint Standing Committee on Agriculture.

Resolve making valid the records of the First Christian Society of Saco.

Resolve authorizing the appointment of a delegate to the International Prison Congress.

Resolve relating to the claims of Peter Murphy and Thomas Kennedy.

Resolve laying a tax on the several counties of the State.

\* Resolve in favor of O. W. Davis, Jr.

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Resolve authorizing the conveyance of certain lots of land in the east half of township No. 2, range 5, west from the east line of the State, in the county of Aroostook.

Resolve in favor of the State Reform School.

Resolve in favor of Elbridge D. Crouse.

Resolve in favor of township No. 12, range 5, west from the east line of the State, known as Sheridan plantation.

Resolve in favor of George Cary, Theodore Cary and Jefferson Cary.

Resolve in favor of compiling and printing school laws.

Resolve in favor of the Maine Industrial School for Girls.

Resolve relating to the State College of Agriculture and the Mechanic Arts.

Resolve making appropriation for the propagation of fish.

Resolve in favor of furnishing the town of Hurricane Isle with reports and other official documents.

Resolve in favor of Peter Selmore.

Resolve authorizing the location of a land certificate.

Resolve in favor of the town of Deering.

Resolve in favor of S. W. Stratton.

Resolve relating to Perham plantation.

Resolve in favor of the Shapleigh and Acton Agricultural Society.

Resolve in favor of William D. Orr.

Resolve in favor of John Carver and George S. Ames.

\*388 \*Resolve to abate the State tax in Washington plantation, in Franklin county, for the years 1875, 1876 and 1877.

Resolve in favor of George W. Black.

Resolve making an appropriation for the Penobscot Tribe of Indians, for repairs on chapel on Oldtown island.

Resolve in favor of Ida Brown.

Resolve granting two lots of land to William Brown of Eagle Lake plantation under certain conditions.

Resolve in favor of Jeanne M. Strickland.

Resolve in favor of Portland Public Library.

Resolve in favor of Albion W. Stratton.

Resolve in favor of the town of Mayfield.

Resolve in favor of township No. 13, range 6, west from the east line of the State, known as Portage Lake plantation.

Resolve providing for the purchase and distribution of Plaisted and Appleton's Digest of the Maine Reports.

Resolve in favor of Nathan Perry.

Resolve in favor of the Maine State College of Agriculture and the Mechanic Arts.

Resolve in aid of building a bridge in the town of Caribou.

Resolve in favor of Sprague, Owen and Nash.

Resolve relating to the Passamaquoddy Indians.

Resolve to carry into effect the provisions of chapter 49 of the resolves of 1869.

Resolve in favor of Nathaniel Blake.

Resolve in favor of the Secretary of the Senate.

Resolves authorizing a temporary loan.

Resolve for repairing bridge over Molunkus stream, \* in \* 389  
Macwahoc plantation.

Resolve in favor of the Maine General Hospital.

Resolve in favor of the Military and Naval Asylum at Bath.

Resolve in favor of St. Elizabeth Orphan Asylum of Portland.

Resolve in favor of the State Prison.

Resolve for an investigation relating to elections in certain towns and plantations.

Resolve relating to the town of Alexander and eighteen other towns.

Resolve in favor of the towns of Fort Kent and Frenchville.

Resolve in favor of the Female Orphan Asylum of Portland.

Resolve in favor of the Bangor Children's Home.

Resolve on the pay-roll of the House.

Resolve on the pay-roll of the Senate.

Mr. BRAGDON presented the following:

*Resolved*, That the thanks of the Senate be tendered to Samuel W. Lane, Esq., Secretary, and Charles W. Tilden, Assistant Secretary, for the prompt and efficient manner in which they have discharged their duties during this session.

The resolution was unanimously adopted.

The Secretary and Assistant Secretary each responded.

Mr. WOODWARD then rose and said:

Mr. SECRETARY,—The time for the final adjournment of this Senate has arrived, and soon the Fifty-seventh Legislature of Maine will be numbered among the things of the past. Its history is recorded, and the people must decide upon the character \*of its deliberations and its acts. Whatever \*390 that verdict may be, I believe we all feel a consciousness that in all the deliberations of this body its members have been governed by no other motive than an earnest desire to promote the best interests of the State and the people. Humanity is falli-

ble and human wisdom may err, and whatever of error or mistake time may disclose in the deliberations and conclusions of this Senate, I believe each and all of its members have acted with upright motives and intentions.

I am one of the small minority, politically, composing this branch of the Legislature, and I know I express the sentiments of them all when I say that we are well pleased with the course you have maintained towards us, in ignoring all party distinctions and sinking all political differences.

The breaking up of pleasant associations always excites emotions of sadness, and although we know—and are happy in that knowledge—that dear friends are waiting to receive us in our homes, yet we experience feelings of pain at parting with the friends here found, and with whom we have enjoyed cordial good fellowship, and for whom we cherish sincere esteem and good will. And as we part now, in all human probability we shall never again all meet on earth—the recurring of another season will bring together some, doubtless many that are here now; but never again will all these be called together to occupy these seats. The changing nature of all human affairs, the mutations of political combinations, will leave some out; death itself, whose call none may resist, may claim some. May all our lives in the future be governed by principles of honor and justice that we may  
\*391 all meet in a better land in the \*great hereafter.

Mr. Secretary, I ask leave to submit the following resolution, and request that the vote thereon may be by rising:

*Resolved*, That the most cordial thanks of the Senate are due, and are hereby tendered to Hon. Warren H. Vinton, for the very able, courteous and impartial manner in which he has discharged the duties of presiding officer of this body during the session now about to close, and that we shall hold, in grateful remembrance the kindness and gentlemanly bearing he has manifested in all his intercourse with its members officially and socially.

Mr. NEALLEY said:

Mr. SECRETARY,—Whatever may be the people's verdict on the action of this Legislature, I feel sure the Senate deserves high credit for hard and patient labor, and a single devotion to the best interests of the State. To me, at least, the session has been of the most pleasant character, as I had expected it to be, knowing I

was to meet friends whom I had learned to esteem from intimate association in the other branch,—the Senator from Cumberland (Mr. Davis), the Senator from Kennebec (Mr. Haynes), the Senator from Knox, the Senator from Franklin, and especially the Senator from Sagadahoc, whom I had known well from early boyhood. And among the pleasing coincidences brought about by the whirligig of time, I have had as my nearest neighbor, my colleague, (Mr. Phillips) at whose side I used to sit for four years as classmates at old Bowdoin, some twenty years ago. In those years I used to read the name of our \* President as a \*392 member of this board, where he has served so many terms; and it is a peculiarly fitting thing to make him round out this period of faithful service in the Senate by placing him, without opposition, in the President's chair.

It is a time-honored chair, Mr. Secretary, grown reverend and venerable with the memory of the long list of its occupants, whose lives for more than half a century have been intewoven with the growth and history of the State,—from the historian, Gov. Williamson, through stately old Gov. Dunlap, and Gov. Dana, and Governor, Senator and Secretary Morrill, down to the gallant soldier who filled it last year. It is our good fortune to have added to this long line of those whom the State has delighted to honor, a name not unworthy of its distinguished predecessors.

The resolution was unanimously adopted by a rising vote.

Mr. VINTON, President of the Senate, responded as follows:

SENATORS,—It is a well settled principle of parliamentary law, that every question capable of division may be divided by any one. So I may be permitted to divide your resolution. And for all that portion of it, which is personal to myself, to say that I receive it in the same generous spirit in which it is offered. That it is honest, sincere and hearty, I do not for a moment doubt. For such a generous expression, to say I thank you seems to be very tame. Nevertheless, it is all I can say, only perchance to add that I receive the same with all due appreciation.

For all that portion of the resolution which refers \* to the \*393 discharge of the duties of the Chair, I have to say that if those labors have been performed with credit to myself, with satisfaction to you, with profit to the State, it is due in a large measure to that forbearance, to that kindly co-operation, to that con-

stant and ready support on your part, and on the part of each of you, so generous, so charitable, so unremitting, so valuable, so that while you come to thank me, I in turn come to thank you.

Standing now in the retrospect, I must be permitted to say a word concerning this Legislature and its work. This is a Legislature of rare excellence, and its chief and crowning glory is its work. When we assembled there were those who said that the Legislature had very little to do, that it would do that little and adjourn probably in about four weeks. There were some of us who took little stock in these prophecies at the time; none of us take any therein now. Seldom if ever in the history of the State have so many controverted matters been brought before the Legislature. I have never known in all my experience and observation, which is certainly considerable, so many questions come here which have been deemed of sufficient importance to bring with their own attorneys. And this, let me say, is the true test of the importance which the parties themselves attach to their various measures. So that we have had during this session before the different committees, nearly all the leading lawyers of the State, and some out of the State, and the judges, with perhaps a single exception, either in person or by letter. Never before have I known committees, sitting day and night, to give so long  
\*394 and so patient \*hearings to parties. And the same fidelity which has appeared in the committee room, in the preparation of matters of business for legislation, has continued in both branches through all their various stages into law. And I am confident that we may now submit our work to that truest of all tests—time, with the confident assurance that it will well endure the test.

But our work is done. The curtain falls, and we are in the shadow of separation. The parting hour cannot be otherwise than sad. Good-bye, however intensely uttered, however much of invocation it may contain, however much of hope, is still in its best estate a sad word. But here again we are prisoners of hope. I speak for myself. I know that were it not for the hope that somewhere in the future I should again see your faces, and again take you by the friendly hand; were it not, I say, for this hope, which is as an anchor, I could not now speak at all. So that while we go in sadness, we will nevertheless go in hope. And

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now, Senators, wishing you a safe return to your families and friends, I bid you each and all an affectionate farewell.

The PRESIDENT, at 12.45 A. M., February 22, declared the Senate adjourned without day.

SAMUEL W. LANE, *Secretary.*

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I certify that the foregoing is a true transcript of the Journal of the Senate of the Fifty-seventh Legislature of the State of Maine.

ATTEST: SAMUEL W. LANE, *Secretary.*



## SENATE ORDER OF PROCEEDINGS AND DEBATES.

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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.

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- “ 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.
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- “ 8. Order of precedence in motions.
- “ 9. Motions to be in writing if desired—right to withdraw.
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## 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 com-

mitted to the committee on bills in the second reading, to be by them examined, corrected, and so reported to the senate.

19. Upon the second reading of a bill or resolve, after the same shall be read through, and before the question is put on its passage, it shall be read and considered by paragraphs, at the request of any member of the senate; and no bill or resolve shall have a second reading unless a time (not less than one hour after the first reading) be assigned therefor.

20. No bill or resolve shall pass to be engrossed without being twice read; and all bills and resolves, immediately after the same shall have been engrossed, shall be committed to the committee on engrossed bills, whose duty shall be to examine the same, and to see that the same have been truly engrossed; and before any bill shall pass to be enacted, or any resolve be finally passed, it shall be reported by the committee for the examination of engrossed bills to be truly and strictly engrossed, and the title thereof be read by the President.

21. No resolve of any kind, or order making any grant of money, lands, or other public property, shall be passed without being read on two several days; the time for the second reading shall be assigned by the senate.

22. After the reading of the journal, the following shall be the order of business:

1st, House papers not acted on; and if accompanied by a bill or resolve, the first reading of such bill or resolve.

2d, Messages and documents from the executive and heads of departments.

3d, The reception and reference of petitions and such other papers, except bills and resolves, as require action by a committee.

4th, Reports of committees, and if accompanied by a bill or resolve, the first reading of such bill or resolve. Bills, resolves, etc., offered by senators, and their reference or first reading.

5th, Bills and resolves reported by the committee on bills in the second reading.

6th, Bills on their passage to be enacted, and resolves on their final passage.

It shall be the duty of the secretary to number bills and resolves in the order in which they shall be reported by said committee, and enter them upon the calendar in such order. They shall be

taken up for their second reading and passage to be engrossed, or other disposition, in the order in which they stand upon the calendar. When a bill or resolve, after it is put on the calendar, is laid on the table, and no time assigned for its further consideration, it shall go to the foot of the calendar as it then stands. Papers from the house, concerning which there has been a disagreeing vote of the two houses, shall be disposed of before commencing with the calendar. This rule shall not apply to or interfere with motions to reconsider, or special assignments or other privileged questions.

23. When the yeas and nays are taken, the names of the senators shall be called alphabetically.

24. After a question is put to vote, no senator shall speak on it. Every senator who may be present shall vote unless excused by the senate, or excluded by interest.

25. The unfinished business, in which the senate was engaged at the time of the last adjournment, shall have preference in the orders of the day.

26. No engrossed bill or resolve shall be sent to the house without notice thereof being given to the senate by the president.

27. Every member who shall present a petition, shall place his name thereon and a brief statement of its subject.

28. All confidential communications made by the governor to the senate, shall be by the members thereof kept inviolably sacred until the senate shall by their resolution take off the injunction of secrecy.

29. No rule shall be dispensed with, except by the consent of two-thirds of the members present.

30. Any member of the senate may exchange seats on consulting the president and obtaining his permission.

31. No member shall absent himself from the senate without leave, unless there be a quorum left present.

32. All committees shall be nominated by the president (unless when it may be determined that the election shall be by ballot,) and appointed by the senate.

33. The following standing committees shall be appointed at the commencement of the session, viz :

STANDING COMMITTEES OF THE SENATE.

On bills in the second reading.

On engrossed bills.

To consist of twelve members each. Any one of the first, and any two of the second, shall constitute a quorum.

34. No member of the senate shall act as counsel for any party before any committee of the legislature.

35. All messages from the senate to the house, and to the governor, or governor and council, shall be carried by the secretary, unless the senate shall direct some other mode of transmission, and all papers shall be transmitted to the governor and council and the house by the secretary or his assistant.

36. The senate may at any time, upon motion, by a vote of a majority of the members present, resolve itself into a committee of the whole for the purpose of considering any subject named in the motion; and a chairman shall be appointed by the president. If a message is announced while the senate is in such committee, the president shall resume the chair for the purpose of receiving it; immediately after which the committee shall proceed, until dissolved in the usual manner.

37. The rules of parliamentary practice comprised in Cushing's Manual, and Cushing's Law and Practice of Legislative Assemblies, shall govern the senate in all cases to which they are applicable, and in which they are not inconsistent with the standing rules of the senate, or the joint rules of the two houses.

# JOINT RULES OF THE TWO HOUSES.

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## JOINT RULES.

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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 committees 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 in 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.

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1. Orders, motions in writing, and reports of committees, should never be presented on less than half a sheet of paper.
2. When a *report* of a committee is made to either house it should be accompanied by the *order* appointing said committee.
3. Petitions, memorials and remonstrances, from towns in their *corporate capacity*, should be endorsed thus, "*Petition of town of ———,*" [stating concisely the subject matter thereof.]
4. Petitions, memorials and remonstrances from individuals, should be endorsed thus, "*Petition of ——— and others, of the town of ———,*" [stating concisely the subject matter thereof.]
5. Petitions, memorials and remonstrances from corporations should be endorsed thus, "*Petition of ———,*" [naming the corporation and stating concisely the subject matter thereof.]
6. The name of the member presenting petitions, memorials and remonstrances, should be endorsed on the back thereof, *near the bottom*, with the place of his residence.
7. The member presenting an *order* should put his name thereto on the inside, at the bottom of the page, on the left, with the place of his residence.
8. Petitions, memorials and remonstrances, on which *leave to withdraw* was ordered by a former legislature, cannot be recalled from the files with a view of being again referred. The *original*, however, may be taken from the files, and the subject presented *de novo*.
9. Bills and resolves *refused a passage, rejected or postponed indefinitely* by a former legislature, cannot be called from the files with a view of being considered by the present legislature.

10. The heading or caption of *bills* should be as follows :

STATE OF MAINE.

In the year of our Lord one thousand eight hundred and

An act ———

*Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :*

11. The caption of *resolves*, as follows :

STATE OF MAINE.

[ *Omitting* the year required in bills.]

Resolve ———

12. The caption of *orders*, as follows :

STATE OF MAINE.

IN SENATE, ———, 187 .

[or IN HOUSE OF REPRESENTATIVES, ———, 187 .

*Ordered*, ———

13. All bills amended by statute, by striking out words from any section or independent clause thereof, or by adding or inserting other words and provisions, should recite the section or clause as it would read after being amended as proposed.

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FIFTY-SEVENTH LEGISLATURE.

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	[ERRATA.—Page 333, 6th line, for S. 61 read S. 49.]	
50	An act to amend the charter of the city of Ellsworth.	
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52	An act concerning itinerant physicians. referred.....	181
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53	An act to amend section 10 of chapter 218 of the public laws of 1877, relating to savings banks. reported, laid over to be printed.....	181
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	read a second time, tabled.....	203
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54	An act to establish a State board of examiners of teachers of the public schools. reported, laid over to be printed.....	182
	read and tabled.....	192
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55	An act to prevent the throwing of slabs and other refuse into the Kennebec river and its tributaries. reported, laid over to be printed.....	182
	read and recommitted.....	192
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	read a second time and specially assigned.....	246
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56	An act to create a lien on hemlock bark. reported, laid over to be printed.....	182
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57	An act to amend chapter 141 of the public laws of 1876, relating to the settlement of the public lands. reported, laid over to be printed.....	182
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58	An act to incorporate the Machiasport and Machias Telegraph Company. referred.....	192
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59	An act to provide stenographic reporters for the grand jury. referred.....	192
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60	An act to amend section 41 of chapter 113 of the revised statutes, relating to arrests for taxes. referred.....	192
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61	An act to amend chapter 200 of the public laws of 1877, relating to mischievous dogs. reported by minority, laid over, ordered printed.....	202
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62	An act to prevent the taking of fish from Dexter pond, in the county of Penobscot, for the term of three years.	
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63	An act to amend chapter 120 of the special laws of 1872, entitled "an act to incorporate the Penobscot Central Railroad Company."	
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	read a second time and passed to be engrossed.....	246
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64	An act repealing the several acts establishing the school mill fund for the support of common schools.	
	reported, laid over to be printed .....	234
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65	An act to amend section 10 of chapter 120 of the public laws of the year 1876, entitled "an act to authorize the formation of railroad corporations "	
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	read a second time, pending amendment tabled.....	259
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66	An act to amend chapter 214 of the public laws of the year 1874, entitled "an act relating to ways across railroads "	
	reported, laid over to be printed.....	235
	read and assigned.....	252
	read a second time and passed to be engrossed .....	260
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67	An act for a uniform rule in the scale of logs and timber.	
	reported, laid over to be printed .....	235
	read and assigned.....	252
	read a second time, tabled .....	260
	considered, amended, passed to be engrossed.....	293
	House indefinitely postpone, tabled.....	303
	considered, amended, passed to be engrossed .....	328
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68	An act to more fully carry out the proviso of section 10 of the act of Congress, chapter 177 of the acts of 1868, relating to compensation for the lands assigned by Maine to settlers.	
	reported, laid over to be printed .....	235
	read and assigned.....	252
	read a second time and passed to be engrossed .....	260
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69	An act to change the name of the Malachite Mining Company.	
	referred.....	242
	reported, read and assigned .....	288
	read a second time and passed to be engrossed .....	294
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70	An act to establish the salary of the clerk of courts for the county of Penobscot.	
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71	An act to amend the charter of the city of Augusta.	
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73	An act to locate, erect and carry on a new hospital for the insane. reported, laid over to be printed. .... read and recommitted. .... reported, read twice, tabled. .... considered. .... amended, passed to be engrossed. .... referred by Senate to next legislature. ....	244 253 257 320 325 332
74	An act additional to an act to facilitate the prompt administration of justice by establishing a Superior Court in Kennebec county. presented, laid over to be printed. .... read and assigned. .... read a second time and passed to be engrossed. .... enacted. ....	257 265 277 305
75	An act additional to chapter 5 of the revised statutes, relating to the public lands. presented, tabled, ordered printed. .... read twice, passed to be engrossed. .... enacted. ....	271 287 315
76	An act to amend section 5 of chapter 56 of the public laws of 1872, relating to the support of schools. submitted by minority report of Committee on Education, tabled, ordered printed. .... lost by acceptance of majority report. ....	272 329
77	An act to amend chapter 107 of the public laws of 1876, entitled "an act additional to chapter 4 of the revised statutes, relating to elections." reported, laid over to be printed. .... read twice and tabled. .... considered, amended, passed to be engrossed. .... enacted. ....	277 292 301, 307 333
78	An act additional to an act in aid of free high schools, approved February 24, 1873. presented, laid over to be printed. .... read and assigned. .... considered, passed to be engrossed, yeas and nays. .... indefinitely postponed. ....	288 298 305, 309, 310 325
79	An act to amend an act relating to the Maine Industrial School for Girls. presented, read twice and passed to be engrossed. .... receded, amended, passed to be engrossed. .... enacted. ....	293 309 331
80	An act additional to an act entitled "an act to amend the charter of the city of Augusta," approved February 15, 1878. presented, read twice and passed to be engrossed. .... enacted. ....	298 311
81	An act to legalize the organizations of certain plantations in Aroostook county. presented, read and assigned. .... read a second time, passed to be engrossed. .... enacted. ....	299 304 331
82	An act to define the qualifications of town officers. presented, laid over to be printed. .... read and assigned. .... read, amended, passed to be engrossed. .... indefinitely postponed. ....	299 310 313 327
83	An act to amend section 25 of chapter 6 of the revised statutes, relating to the assessment and collection of taxes. reported, read and assigned. .... read a second time, passed to be engrossed. .... enacted. ....	303 311 335

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	reported, read and assigned.....	250
	read a second time and passed to be engrossed.....	258
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2	An act to provide for the improvement of the navigation of the Souede-hunk stream for log driving.	
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	reported, read once and assigned.....	120
	considered and tabled.....	129
	ordered printed, specially assigned.....	147
	recommitted to Committee on Interior Waters.....	177
	reported in new draft, read and assigned.....	250
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3	An act to repeal chapter 182 of the laws of 1877.	
	referred, (see bill S 1).....	60
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4	An act to incorporate the Square Pond Reservoir Company.	
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5	An act to limit actions for recovery of real estate.	
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6	An act relating to levy of executions upon estates held in joint tenancy or in common.	
	referred.....	67
	reported in new draft, under title of "an act to amend chapter 76 of the revised statutes, relating to levy of executions upon estates held in joint tenancy or in common, read and assigned.....	168
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7	An act to amend section 5, chapter 204 of the public laws of 1877.	
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8	An act to amend section 4 <sup>th</sup> , chapter 18 of the revised statutes, relating to highway taxes.	
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	reported ought not to pass.....	119
	recommitted to Committee on Ways and Bridges.....	184
	reported, laid over to be printed.....	234
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No.	TITLE AND ACTION.	PAGE.
9	An act to revive, amend and extend the acts in relation to the Wiscasset and Quebec Railroad Company, the Messalonskee and Kennebec Railroad Company, and the Somerset Railroad Company.	
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	reported ought to pass, read and assigned.....	190
	read a second time and passed to be engrossed .....	204
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10	An act to prevent the throwing of edgings, sawdust and other refuse into the waters of the harbor of Wiscasset.	
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	reported ought to pass, read and assigned.....	195
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11	An act to amend chapter 391 of the laws of 1873, entitled "an act to incorporate the Evans Rifle Manufacturing Company."	
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	reported, read once and assigned.....	119
	read a second time, amended and passed to be engrossed.....	129
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12	An act to amend chapter 141 of the special laws of 1872, entitled "an act to incorporate the Norway Branch Railroad Company, and to authorize the Norway Village Corporation to aid the same."	
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13	An act to amend section 2 of chapter 116 of the revised statutes, relating to fees in bastardy cases	
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14	An act to amend the eighth clause of section 55, chapter 11 of the revised statutes, relating to school returns.	
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15	An act to incorporate the Crystal Dam Company.	
	referred .....	83
	reported, read and assigned .....	140
	read a second time and passed to be engrossed .....	148
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16	An act to amend section 7, chapter 4 of the revised statutes, relating to voting lists	
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	reported, new draft, ought to pass, read and assigned.....	270
	read a second time, amended, tabled.....	276
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17	An act to vest the franchise and property of the proprietors of Merrymeeting bridge in the inhabitants of the county of Sagadahoc.	
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	reported, read and assigned.....	209
	amended and passed to be engrossed .....	235
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18	An act to amend chapter 24 of the revised statutes, relating to the settlement of paupers.	
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	reported ought not to pass, and report accepted in concurrence.....	106
19	An act to abolish the August term of the Supreme Judicial Court in the county of Kennebec.	
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No.	TITLE AND ACTION.	PAGE.
20	An act to facilitate the prompt administration of justice by establishing a Superior Court in the county of Kennebec.	
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	reported, read and assigned .....	172
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21	An act additional to section 3, chapter 11 of the revised statutes, relating to the abolition of school districts.	
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22	An act additional to chapter 68 of the revised statutes, relating to appointment of trustees.	
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	reported in new draft, read and assigned .....	168
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23	An act to incorporate the Cumberland Club of Portland.	
	referred .....	91
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	read a second time and passed to be engrossed. ....	159
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24	An act to repeal chapter 235 of the laws of 1874, authorizing assignees of choses in action to bring actions in their own names.	
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25	An act for the further protection of rope used in lumbering.	
	referred .....	98
	reported ought not to pass .....	295
26	An act to amend section 7 of chapter 180 of the special laws of 1872, entitled "an act to authorize the city of Portland to aid the construction and western extensions of the Portland and Rochester Railroad."	
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	reported, read and assigned .....	140
	read a second time and passed to be engrossed .....	152
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27	An act to encourage the planting of trees.	
	referred .....	105
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28	An act to prevent fraud in commercial fertilizers.	
	referred .....	105
	reported ought to pass, read and assigned .....	190
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29	An act providing for the payment of certain rents now in suit to the agent of the Penobscot tribe of Indians.	
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	passed to be enacted and presented to the Governor .....	164
30	An act in relation to insolvent laws of the State of Maine.	
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31	An act in addition to chapter 51 of the revised statutes, relating to mortgages of corporations.	
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32	An act relating to coroners.	
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33	An act additional to chapter 151 of the public laws of 1868, in relation to the Superior Court of Cumberland county. referred.....	105
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34	An act to amend chapter 192 of the public laws of the year 1877, providing for bridge guards on railroads referred.....	105
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35	An act additional to chapter 51 of the revised statutes, to further provide for safety on railroads. referred.....	105
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36	An act to authorize the reduction of capital stock of corporations. referred.....	118
	reported ought to pass, read twice and passed to be engrossed.....	195
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37	An act amendatory of an act to provide for the organization of business corporations. referred.....	118
	reported ought to pass, read and assigned.....	190
	read a second time and passed to be engrossed.....	204
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38	An act to amend section 12 of chapter 133 of the public laws of 1873, relating to the jail system of the State. referred.....	118
	reported, read and assigned.....	168
	read a second time and passed to be engrossed.....	176
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39	An act to amend chapter 199 of the public laws of 1877, "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." referred.....	118
	reported in new draft, under title of "an act to amend section 39 of chapter 18 of the revised statutes, relating to ways," read and assigned.....	264
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40	An act to amend an act entitled "an act to authorize the building of a dyke or dam across Dyke Branch stream in the town of Columbia, county of Washington." reported, read and assigned.....	120
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41	An act authorizing Geo. M. Mills to extend his wharf and erect wharves in the tide waters at Rutherford's island, in the town of Bristol, county of Lincoln. referred.....	137
	reported and recommitted.....	239
	reported ought not to pass.....	268
42	An act to amend an act entitled "an act to incorporate the Androscoggin Water Power Company." referred.....	137
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43	An act relating to the Penobscot tribe of Indians. referred.....	137
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44	An act to amend chapter 261 of the private acts of 1869, relating to courts in Washington county. referred.....	137
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No.	TITLE AND ACTION.	PAGE.
45	An act to extend the time for organization of the Calais Railroad Company, incorporated by chapter 532 of the private laws of 1874.	
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46	An act to amend section 90 of chapter 82 of the revised statutes, relating to evidence.	
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47	An act additional to an act entitled "an act additional to chapter 31 of the revised statutes, relating to factors, agents and warehouse-men."	
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	reported ought not to pass.....	248
48	An act to amend chapter 80 of the revised statutes, enlarging the powers of constables.	
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	reported ought not to pass.....	171
49	An act to encourage the developement of the mining interests of the State.	
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	reported, laid over to be printed.....	182
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50	An act to encourage the provision of means for the extinguishment of fires.	
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	read a second time and passed to be engrossed.....	272
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51	An act for the incorporation of the Union Dairying Association in the town of Union, county of Knox.	
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52	An act additional to chapter 87 of the revised statutes, relating to actions by and against executors and administrators.	
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53	An act to amend chapter 185 of the public laws of 1877, relating to life insurance.	
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	reported in new draft, read and assigned.....	195
	read a second time and passed to be engrossed.....	227
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54	An act additional to chapter 49 of the revised statutes, in relation to life insurance.	
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	reported, read and assigned.....	295
	read a second time and passed to be engrossed.....	303
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55	An act to incorporate the Bridgton Brass Band in Bridgton	
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	reported ought not to pass.....	167
56	An act in relation to right of action between husband and wife.	
	referred.....	138
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57	An act relating to apprenticing of boys in the Reform School.	
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	reported, read and assigned.....	264
	read a second time and passed to be engrossed.....	274
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58	An act to amend section 15, chapter 30 of the revised statutes, relating to taking fur bearing animals.	
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No.	TITLE AND ACTION.	PAGE.
59	An act to amend section 11 of chapter 95 of the revised statutes, relating to actions of trespass.	
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	reported ought to pass, read and assigned .....	190
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60	An act to amend section 5 of chapter 60 of the revised statutes, relating to actions of divorce.	
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	reported, read and assigned .....	209
	read a second time and passed to be engrossed .....	236
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61	An act to amend section 8, chapter 66 of the revised statutes, relating to insolvent estates.	
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62	An act giving county commissioners jurisdiction over the repair of ways.	
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63	An act to amend section 66 of chapter 82 of the revised statutes, relating to juries	
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	reported ought to pass, read and assigned .....	190
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64	An act to incorporate the Pythian Hall Association of Portland.	
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65	An act to authorize the Portland and Ogdensburg Railroad Company to issue preferred stock and for other purposes.	
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	reported, read and assigned .....	161
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66	An act additional to chapter 258 of the public laws of 1874, relating to adjustment of railroad taxes.	
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67	An act additional to chapter 127 of the revised statutes, in relation to malicious mischief and trespasses on property.	
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	read a second time and passed to be engrossed .....	148
	passed to be enacted and presented to the Governor .....	164
68	An act to amend section 2 of chapter 89 of the revised statutes, relating to reviews	
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No.	TITLE AND ACTION.	PAGE.
69	An act to amend section 25 of chapter 65 of the revised statutes, relating to allowances to minor children. referred .....	144
	reported ought not to pass.....	254
70	An act to regulate the sale of ice. referred .....	144
	reported ought not to pass.....	171
71	An act additional to chapter 218 of the acts of 1877, entitled "an act to revise and consolidate the laws relating to the government, powers, duties, privileges and liabilities of savings banks and institutions for savings" referred .....	150
	reported, read and assigned.....	265
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72	An act additional to an act to incorporate the city of Bath. referred .....	155
	reported in new draft, under title of "an act to provide suitable means of egress from buildings used for assemblages of citizens," laid over to be printed .....	293
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	read a second time, passed to be engrossed .....	313
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73	An act for a more extensive use and for the safe preservation of the funds of educational institutions. referred .....	156
	reported ought not to pass .....	228
74	An act to authorize the sale of the Union Meeting-house at North Vassalboro', with furniture and fixtures therewith connected. reported, read and assigned .....	157
	read a second time and passed to be engrossed .....	164
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75	An act to make valid the doings of school district eighteen in the town of Gorham. reported, read and assigned .....	157
	read a second time and passed to be engrossed.....	164
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76	An act to make legal the doings of the North and West Auburn Cheese Company, in the city of Auburn. reported, read and assigned .....	157
	read a second time and passed to be engrossed.....	164
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77	An act to change the name of Nancy S. Hubbard. reported, read and assigned.....	157
	read a second time and passed to be engrossed .....	164
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78	An act to amend an act granting to Ransom B. Abbott the right to establish and maintain a ferry between Sullivan and Hancock. reported, read and assigned.....	157
	read a second time and passed to be engrossed .....	164
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79	An act to incorporate the Kennebec Association for the protection of fish and game. referred .....	161
	reported, read and assigned .....	296
	read a second time and passed to be engrossed.....	304
	enacted.....	324
80	An act to ratify, confirm and make valid the action of the city council of the city of Ellsworth, providing for the funding of its city debt. referred .....	161
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81	An act to incorporate the Ossipee River Union Agricultural Society. reported and recommitted.....	161
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82	An act to restrict fishing in Sanborn Brothers' pond in Baldwin.	
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	reported, read and assigned.....	241
	read a second time and passed to be engrossed.....	254
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83	An act to authorize the city of Bath and the several towns in the county of Sagadahoc to aid in the construction and maintenance of Merry-meeting bridge.	
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84	An act for the better protection of the rights of towns.	
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85	An act additional to an act to incorporate the city of Bath.	
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86	An act to amend section 1 of chapter 58 of the public laws of 1876, relating to auctioneers.	
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87	An act to amend section 56 of chapter 38 of the revised statutes, relating to the weight of corn and grain, meal, vegetables and hair.	
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	read a second time and passed to be engrossed.....	176
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88	An act to amend an act entitled "an act to regulate and protect fisheries and propagation of fish"	
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89	An act to repeal chapter 106 of the public laws of 1876, entitled "an act to amend chapter 30, section 9, of the revised statutes, relating to deer."	
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90	An act to amend section 109, chapter 6 of the revised statutes, relating to the collection of taxes.	
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91	An act to amend chapter 75 of the special laws of 1866, entitled "an act creating the South Paris Village Corporation."	
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	read a second time and passed to be engrossed.....	182
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92	An act to confirm and make valid the doings of Union School District, composed of district No. 1 in the town of Carthage, district No. 19 in the town of Wilton, in the county of Franklin, and district No. 12 in the town of Dixfield, in the county of Oxford.	
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93	An act additional to an act to establish the Atlantic and St. Lawrence Railroad Company.	
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94	An act granting the towns surrounding Toddy pond in Hancock county, the right to build and maintain a bridge across said pond. reported, read and assigned ..... read a second time and passed to be engrossed ..... enacted .....	173 182 207
95	An act to change the name of Rufus Edwin Bubier. reported and tabled ..... read twice and passed to be engrossed..... enacted .....	179 224 260
96	An act to incorporate the town of Hurricane Isle. reported, read and specially assigned. .... read a second time, amended and passed to be engrossed, yeas and nays. enacted .....	180 203 237
97	An act additional to chapter 200 of the public laws of 1877, entitled "an act additional to chapter 30 of the revised statutes, relating to mischievous dogs." referred .....	187
98	An act to change the names of Amelia and Adelia Bullock. reported and tabled ..... read twice and passed to be engrossed..... enacted .....	189 224 260
99	An act to prevent the killing of deer in the county of Waldo. reported, read and assigned ..... read a second time and passed to be engrossed ..... enacted .....	189 204 247
100	An act for the preservation of bass in the waters of Winnegance creek. reported, read and assigned. .... read a second time, tabled, ordered printed ..... passed to be engrossed..... enacted .....	189 204 233 261
101	An act to prohibit the taking of fish from Field's pond in the town of Orrington, and from Brewer's pond in the towns of Orrington and Bucksport. reported, read and assigned ..... read a second time and tabled ..... passed to be engrossed..... enacted .....	189 203 284 305
102	An act to protect the breeding of trout in Perkins brook, so called, in the towns of North Berwick, Wells and Sanford, in the county of York. reported, read and assigned ..... read a second time and passed to be engrossed ..... enacted .....	190 247
103	An act for the further protection and propagation of eels in the Damariscotta river and pond. reported, read and assigned ..... read a second time and passed to be engrossed..... enacted .....	190 204 247
104	An act authorizing the Bates Manufacturing Company to reduce the par value of its stock and to issue new shares. read twice and passed to be engrossed .... enacted .....	191 237
105	An act in relation to the testimony of persons accused. referred .....	195
106	reported ought not to pass..... An act to abolish the office of crier in the various courts. reported, read and assigned..... read a second time and tabled..... amended, title changed to "an act to provide for the office of crier in the various courts in the State," passed to be engrossed..... considered, tabled..... enacted.....	253 195 227 301 324 328

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No.	TITLE AND ACTION.	PAGE.
107	An act to amend section 50, chapter 40 of the revised statutes, relating to migratory fishes in Damariscotta river. reported, read and assigned ..... read a second time and passed to be engrossed .. enacted.....	195 227 261
108	An act to make valid the doings of the town of Limestone in the county of Aroostook. reported, read and assigned ..... read a second time and passed to be engrossed ..... enacted.....	195 227 261
109	An act to prohibit the taking of fish from Withee's pond and tributaries in the town of Dover. reported, read and assigned ..... read a second time and passed to be engrossed..... enacted.....	209 236 261
110	An act relating to building and maintaining the lock in the dam across the Kennebec river at Augusta. reported, read and assigned ..... read a second time and tabled ..... amended, passed to be engrossed..... enacted.....	209 236 306 333
111	An act to incorporate the St. Croix Lake Dam Company. reported, read and assigned ..... read a second time and passed to be engrossed ..... enacted.....	209 236 283
112	An act to amend section 12 of chapter 122 of the revised statutes, relating to corrupt agreements by attorneys and others. reported, read and assigned ..... read a second time, amended, passed to be engrossed..... considered, recommitted ..... reported, read and assigned ..... read a second time, passed to be engrossed ..... enacted.....	209 237 256 296 304 324
113	An act in relation to the duties of county attorneys, and additional to chapter 79 of the revised statutes. reported, read and assigned..... read a second time, tabled..... amended, passed to be engrossed ..... enacted.....	209 237 307 331
114	An act to abolish the organization of plantation No. 6, in the county of Franklin. reported, read and assigned ..... read a second time, tabled ..... passed to be engrossed..... enacted.....	209 237 243 261
115	An act to amend chapter 19, section 10, of the revised statutes, relating to the law of roads. reported, read and assigned..... read a second time and passed to be engrossed..... enacted...	209 236 261
116	An act to establish a bounty on bears. reported, read, indefinitely postponed .....	210
117	An act to incorporate the town of West Rockland. reported, read, indefinitely postponed .....	210
118	An act to provide for the more efficient management of the public schools referred..... reported ought not to pass.....	228 268
119	An act to amend section 14 of chapter 7 of the revised statutes, relating to the making of an alphabet in the register of deed's office. referred.. .. reported ought not to pass .....	239 288

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No.	TITLE AND ACTION.	PAGE.
120	An act to amend an act entitled "an act to regulate the shad and alewife fishery in the town of Warren, in the county of Lincoln," passed March 6, 1802	
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	read a second time, passed to be engrossed.....	254
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121	An act to regulate and protect fisheries and the propagation of fish.	
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	read a second time and specially assigned.....	254
	amended, passed to be engrossed.....	287
	amended and passed to be engrossed.....	322
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122	An act to incorporate the Maine Rifle Club.	
	reported, read and assigned.....	241
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123	An act to incorporate the Portland Yacht Club.	
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	reported, read and assigned.....	284
	read a second time and passed to be engrossed.....	294
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124	An act to authorize Abial D. Knapp and Woodbury S. Knapp to navigate Androscoggin pond and Dead river in the towns of Wayne and Lees, Wing's pond in Wayne, Lovejoy's pond in Wayne, Readfield and Fayette, Crotched pond in Readfield, Fayette and Mt. Vernon, by steam.	
	reported, read and assigned.....	250
	read a second time and passed to be engrossed.....	258
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	recalled, reconsidered, amended, passed to be engrossed.....	319
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125	An act for the protection of sturgeon in the waters of the Kennebec river and its tributaries.	
	reported, read and assigned.....	250
	read a second time and passed to be engrossed.....	258
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126	An act to amend chapter 258 of the public laws of 1874, entitled "an act relating to taxation of railroad companies."	
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	read a second time and passed to be engrossed.....	258
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127	An act to make valid the acts of the Lyndon Union Meeting-house Association of Caribou.	
	reported, read and assigned.....	250
	read a second time and passed to be engrossed.....	258
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128	An act to set off a part of the town of Parkman, in the county of Piscataquis, and annex the same to the town of Guilford in said county	
	reported, read and assigned.....	250
	read a second time and passed to be engrossed.....	258
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129	An act to set off certain property from the Oxford Village Fire Engine Corporation.	
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	read a second time and passed to be engrossed.....	258
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130	An act to repeal chapter 60 of the public laws of 1862, entitled "an act relating to the fees for serving subpoenas."	
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131	An act to incorporate the Deer Isle and Sedgwick Steam Ferry Company.	
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	read a second time and passed to be engrossed.....	266
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133	An act to prevent the taking of pickerel in Torsey's pond and stream in the towns of Mt. Vernon and Readfield and the Lovejoy pond and stream in the towns of Fayette, Readfield and Wayne. referred to the next legislature .....	263
134	An act to make valid the doings of Oliver B. Trott as a justice of the peace and quorum. referred ..... reported, read twice, passed to be engrossed ..... enacted .....	263 290 315
135	An act to amend chapter 380 of the private and special laws of 1873, relating to schools in Madawaska territory. reported, read and assigned ..... read a second time and passed to be engrossed ..... enacted .....	263 274 300
136	An act to provide schools for the training of teachers in Madawaska territory. reported, read and assigned ..... read a second time, tabled ..... passed to be engrossed ..... enacted .....	263 276 307 324
137	An act to establish an additional normal school. reported, read and assigned ..... read a second time, considered, passed to be engrossed ..... enacted .....	263 272, 273 300
138	An act to incorporate the Fairfield Boom Corporation. reported, read and indefinitely postponed ..... Committee of Conference ..... reported, passed to be engrossed ..... enacted .....	264 318 330 335
139	An act to prevent the throwing of refuse into the tributaries of Wilson pond. reported, read and assigned ..... read a second time, amended, passed to be engrossed ..... enacted .....	264 273 306
140	An act to amend an act entitled "an act to incorporate the city of Calais." reported, read and assigned ..... read a second time and passed to be engrossed ..... enacted .....	264 274 300
141	An act to amend section 30 of chapter 6 of the revised statutes, relating to taxation of corporate property. reported, read and assigned ..... read a second time and passed to be engrossed ..... enacted .....	264 274 300
142	An act to amend an act to authorize the Maine Central Railroad Company to discontinue the use of a portion of its track. reported, read and assigned ..... read a second time and passed to be engrossed ..... enacted .....	270 275 300
143	An act to regulate and protect the shore fisheries. reported, read twice, tabled ..... considered, amended, passed to be engrossed ..... Committee of Conference ..... report of conference, House concurs in amendments and passage ..... enacted .....	270 283, 287 298 313 330
144	An act to amend section 71 of chapter 51 of the revised statutes, relating to railroad commissioners. referred ..... reported ought not to pass .....	278 289

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146	An act amendatory of section 2, chapter 124 of the public laws of the year 1873, relating to free high schools. reported, read and assigned .....	279
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147	An act to amend chapter 234 of the public laws of 1874, concerning tax titles. reported, read and assigned .....	279
	read a second time and passed to be engrossed .....	286
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148	An act to repeal chapter 149 of the public laws of 1877, relating to execu- tions. reported, read and assigned .....	279
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149	An act to amend an act entitled "an act to incorporate the Sandy River Valley Railroad Company." reported, read and assigned .....	279
	read a second time, passed to be engrossed .....	286
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150	An act to amend chapter 218 of the public laws of 1877, entitled "an act to revise and consolidate the laws relating to the government, powers, duties, privileges and liabilities of savings banks and institutions for savings." reported, read and indefinitely postponed .....	279
151	An act to consolidate, revise and amend the various acts which constitute the charter of the Union Mutual Life Insurance Company. reported, read twice, passed to be engrossed .....	290
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152	An act for the protection of game and birds. reported, read twice, amended, passed to be engrossed .....	290
	enacted .....	315
153	An act to provide in part for the expenditures of government. read twice, considered, yeas and nays, passed to be engrossed .....	290
	enacted .....	315
154	An act to prevent vexatious lawsuits. reported, read and assigned .....	291
	read a second time and passed to be engrossed .....	299
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155	An act to repeal chapter 78 of the public laws of 1876, relating to the erection of fish weirs and wharves in tide waters. reported, read, indefinitely postponed .....	291
156	An act to amend section 8 of chapter 120 of the revised statutes, relating to larceny. reported, read and assigned .....	296
	read a second time, passed to be engrossed .....	304
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157	An act concerning tramps. reported, read and assigned .....	296
	read, amended, passed to be engrossed .....	304
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158	An act to amend sections 21 and 28 of chapter 113 of the revised statutes, relating to relief of poor debtors. reported, read and assigned .....	296
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160	An act to provide additional remedies for the enforcement of judgments. reported, read and assigned. . . . . read a second time, amended, tabled . . . . . passed to be engrossed . . . . . enacted. . . . .	296 304 313 330
161	An act in relation to the attachment of property on writs after service completed reported, read, indefinitely postponed. . . . .	296
162	An act to regulate the disbursement of public funds by the treasurer in Cumberland county. read and assigned. . . . . read a second time, passed to be engrossed . . . . . enacted. . . . .	297 303 324
163	An act to amend section 5 of chapter 386 of the special laws of 1873, entitled "an act to supply the cities of Lewiston and Auburn with pure water." read twice and passed to be engrossed. . . . . enacted. . . . .	298 315
164	An act to extend the jurisdiction and authority of county commissioners. reported, read and assigned . . . . . read a second time, passed to be engrossed . . . . . enacted. . . . .	302 311 330
165	An act additional to chapter 136 of the special laws of 1872, entitled "an act authorizing the citizens of the Isle au Haut to allow their cattle to run at large on that island." reported, read and assigned . . . . . read a second time, passed to be engrossed . . . . . enacted. . . . .	302 311 331
166	An act to amend section 23 of chapter 24 of the revised statutes, relating to paupers. reported, read, indefinitely postponed . . . . .	303
167	An act to amend section 10, chapter 141 of the public laws of 1873, relating to the Industrial School for Girls. reported, read, indefinitely postponed. . . . .	308
168	An act to authorize the town of Brunswick to fund its debt and issue bonds therefor. read twice and passed to be engrossed. . . . . enacted. . . . .	312 330
169	An act to authorize the trustees of Gorham Seminary to convey the property of said corporation for the use and purposes of the normal school established at Gorham. read twice and passed to be engrossed. . . . . enacted. . . . .	312 330
170	An act to authorize the town of Gorham, or any of its school districts, to raise money for providing buildings for the normal school established in said town. read twice and passed to be engrossed. . . . . enacted. . . . .	312 330
171	An act for the assessment of a State tax for the year one thousand eight hundred seventy-eight, amounting to the sum of eight hundred ninety-nine thousand seven hundred twelve dollars and seventy cents. read twice and passed to be engrossed. . . . . enacted. . . . .	312 334
172	An act to amend chapter 202 of the public laws of 1877, "an act relating to normal schools." read twice and passed to be engrossed . . . . . enacted. . . . .	318 330

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174	An act in relation to the salary of insurance commissioner.	
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175	An act to amend section 9 of chapter 3 of the revised statutes, relating to towns.	
	reported, read, indefinitely postponed .....	322
176	An act to provide in part for the expenditures of government.	
	read twice and passed to be engrossed .....	334
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1	Resolve relating to the currency.	
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2	Resolve in favor of Lincoln E. Sprague.	
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	read a second time, passed to be engrossed.....	111
	finally passed .....	206
3	Resolve for the purchase of the Maine State Year Book and Legislative Manual.	
	reported, laid over to be printed .....	122
	read and assigned.....	140
	read a second time and passed to be engrossed.....	148
	finally passed .....	206
4	Resolve relating to temperance	
	presented, tabled and ordered printed .....	129
	read first and second time and passed to be engrossed, yeas and nays..	163
	finally passed .....	206
5	Resolve in favor of the Joint Standing Committee on Education.	
	presented, tabled, ordered printed.....	146
	read first and second time and passed to be engrossed.....	157
	finally passed .....	184
6	Resolve in favor of the Joint Standing Committee on State Prison.	
	submitted, read twice and passed to be engrossed.....	158
	finally passed .....	184
7	Resolve relating to lands held under conditional grants.	
	reported, laid over to be printed .....	159
	read and assigned.....	168
	read a second time and passed to be engrossed.....	177
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8	Resolve in favor of George F. Foster of Portland.	
	reported, laid over to be printed .....	159
	read and assigned.....	168
	read a second time and passed to be engrossed .....	177
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9	Resolve authorizing the conveyance of certain lots of land in the east half of township No. 2, range 5, west from the east line of the State, in the county of Aroostook.	
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11	Resolve in favor of Elbridge D. Crouse.	
	reported, laid over to be printed.....	169
	read and assigned.....	180
	read a second time and passed to be engrossed.....	193
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12	Resolve in favor of the Shapleigh and Acton Agricultural Society.	
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	read twice, rules suspended, passed to be engrossed.....	253
	finally passed.....	299
13	Resolve in favor of the State Reform School.	
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	considered, laid over to be printed.....	194
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	read a second time and passed to be engrossed.....	236
	finally passed.....	289
14	Resolve in relation to the documentary history of the State of Maine.	
	reported, laid over to be printed.....	193
	read and assigned.....	210
	read a second time and passed to be engrossed.....	236
	finally passed.....	261
15	Resolve in favor of the town of Deering.	
	referred.....	196
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16	Resolve in favor of the State Prison.	
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	finally passed.....	335
17	Resolve in aid of building a bridge over Fish river in Eagle Lake plantation.	
	reported, laid over to be printed.....	226
	read and assigned.....	252
	read a second time and passed to be engrossed.....	260
	receded, refused a passage.....	303
18	Resolve in favor of S. W. Stratton.	
	reported, laid over to be printed.....	226
	read and assigned.....	252
	read a second time and passed to be engrossed.....	260
	finally passed.....	299
19	Resolve requesting the Attorney General to inquire into the management of the Maine Industrial School for Girls.	
	read twice and tabled.....	233
	passed to be engrossed.....	243
	receded, indefinitely postponed.....	303
20	Resolve relating to Perham plantation.	
	reported, laid over to be printed.....	235
	read and assigned.....	252
	read a second time and passed to be engrossed.....	260
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21	Resolve for repairing bridge over Molunkus stream in Macwahoc plantation.	
	reported, laid over to be printed.....	235

## SENATE RESOLVES—CONCLUDED.

No.	TITLE AND ACTION.	PAGE.
21	Resolve for repairing bridge over Molunkus stream in Macwahoc plantation — <i>Concluded.</i> read and assigned.....	252
	read a second time and passed to be engrossed.....	260
	finally passed.....	335
22	Resolve in favor of furnishing the town of Hurricane Isle with reports and other official documents. presented, read twice and passed to be engrossed.....	242
	finally passed.....	306
23	Resolve in favor of St Elizabeth Orphan Asylum of Portland. reported, laid over to be printed.....	244
	read and assigned.....	252
	read a second time, tabled.....	258
	considered, yeas and nays, passed to be engrossed.....	326
	finally passed.....	334
24	Resolve relating to the State College of Agriculture and the Mechanic Arts. presented, laid over to be printed.....	253
	read and assigned.....	265
	read a second time and passed to be engrossed.....	277
	finally passed.....	306
25	Resolve in favor of the Military and Naval Asylum at Bath. reported, laid over to be printed.....	257
	read and assigned.....	271
	read a second time and passed to be engrossed.....	277
	finally passed.....	335
26	Resolve providing for the purchase and distribution of Plaisted and Appleton's Digest of Maine Reports. reported, laid over to be printed.....	257
	read and assigned.....	271
	read a second time and passed to be engrossed.....	277
	finally passed.....	324
27	Resolve for an investigation relating to elections in certain towns and plantations. presented, laid over to be printed.....	310
	read and assigned.....	318
	read a second time and passed to be engrossed.....	323
	finally passed.....	335
28	Resolve in favor of the Secretary of the Senate. presented, read twice, passed to be engrossed.....	313
	finally passed.....	331
29	Resolve in favor of the town of Alexander and eighteen other towns. reported, laid over to be printed.....	316
	considered.....	321
	referred to Attorney General and Adjutant General.....	326
	reference reconsidered—see Res. S. 30.....	329
30	Resolve relating to the town of Alexander and eighteen other towns. presented, read twice and passed to be engrossed.....	329
	finally passed.....	335
31	Resolve in favor of the towns of Fort Kent and Frenchville. reported on resolves H. R. 28 and H. R. 29, read twice and passed to be engrossed.....	328
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No.	TITLE AND ACTION.	PAGE.
1	Resolve in favor of Nathaniel Blake.	
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	considered, Committee of Conference .....	297
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	finally passed .....	331
2	Resolve to amend chapter 133 of resolves of 1867.	
	referred .....	90
	reported, read and assigned .....	139
	read a second time and passed to be engrossed .....	148
	finally passed and presented to the Governor .....	165
3	Resolve granting two lots of land in the north half of township No. 17, range 6.	
	referred .....	105
	reported in new draft under title of "resolve granting two lots of land to William Brown of Eagle Lake plantation, under certain conditions," read and assigned .....	269
	read a second time, amended, passed to be engrossed .....	276
	finally passed .....	300
4	Resolve in favor of the inhabitants of Barnard in the county of Piscataquis.	
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	reported, referred to Committee on Financial Affairs .....	139
	reported on accompanying petition for abatement of State tax, leave to withdraw .....	172
5	Resolve relating to the purchase of Maine reports.	
	referred .....	105
	reported, read and assigned .....	173
	read a second time and passed to be engrossed .....	182
	finally passed .....	207
6	Resolve providing for payment for additional services and expenses imposed upon the Bank Examiner by the savings bank act, approved Feb. 9, 1877.	
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	reported, read and assigned .....	230
	read a second time and tabled .....	245
	passed to be engrossed .....	284
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7	Resolve in favor of the St Croix and Penobscot Railway.	
	referred .....	139
	reported, referred to next legislature .....	268
8	Resolve in favor of John Relehan.	
	referred .....	139
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