

JOURNAL

OF THE

SENATE OF MAINE

1879.

---

FIFTY-EIGHTH LEGISLATURE.

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AUGUSTA:  
E. F. PILLSBURY & CO., STATE PRINTERS.  
1879.

STATE OF MAINE.

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IN SENATE, January 14, 1879.

*Ordered,* That the Secretary prepare and cause to be printed under his supervision and direction, the usual number of copies of the Journal of the proceedings of the present session of the Senate.

Read and passed.

SAMUEL W. LANE, *Secretary.*

A true copy.

ATTEST: SAMUEL W. LANE, *Secretary.*

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**\*FIFTY-EIGHTH LEGISLATURE.**

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**JOURNAL OF THE SENATE.**

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**STATE OF MAINE.**

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AUGUSTA,  
WEDNESDAY, JANUARY 1, 1879. }

Pursuant to the provisions of the Constitution and the Laws of the State of Maine, the Senators elect to the Fifty-Eighth Legislature convened in the Senate Chamber, and were called to order by SAMUEL W. LANE, Esq., Secretary of the Senate of 1878.

Prayer was offered by Rev. Mr. PENNEY 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 of chapter 2 of the revised statutes, I hereby certify that the following are the names and residences of the Senators elect to the Fifty-Eighth Legislature, as as appears by the report of the Governor and Council, under \*the date of November 6th, A. D. 1878, to wit: \*2

FIRST SENATORIAL DISTRICT—YORK COUNTY.

WILLIAM F. MOODY, Kennebunkport.

JOHN F. FERGUSON, Shapleigh.

JAMES M. ANDREWS, Biddeford.

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NOTE—The \* refers to the marginal figures which are the corresponding pages of the original Journal of the Senate, filed in the office of the Secretary of State, the word marked \* in the text being the first word on the page in the margin.

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SECOND SENATORIAL DISTRICT—CUMBERLAND COUNTY.

WARREN H. VINTON, Gray.  
WILLIAM W. THOMAS, Jr., Portland.  
ANDREW HAWES, Deering.  
DAVID DURAN, Casco.

## THIRD SENATORIAL DISTRICT—OXFORD COUNTY.

FRANCIS W. RIDLON, Porter.  
WILLIAM W. WAIT, Dixfield.

## FOURTH SENATORIAL DISTRICT—ANDROSCOGGIN COUNTY.

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

## FIFTH SENATORIAL DISTRICT—FRANKLIN COUNTY.

JAMES MORRISON, Jr., Phillips.

## SIXTH SENATORIAL DISTRICT—SAGadahoc COUNTY.

WILLIAM ROGERS, Bath.

## SEVENTH SENATORIAL DISTRICT—KENNEBEC COUNTY.

J. MANCHESTER HAYNES, Augusta.  
MOSES S. MAYHEW, Mt. Vernon.

## EIGHTH SENATORIAL DISTRICT—SOMERSET COUNTY.

AMOS F. PARLIN, Skowhegan.  
ARCHIBALD LINN, Hartland.

## \*3 NINTH SENATORIAL DISTRICT—\*PISCATAQUIS COUNTY.

ANDREW J. CHASE, Sebec.

## TENTH SENATORIAL DISTRICT—PENOBSCOT COUNTY.

NOAH BARKER, Corinth.  
JOHN W. ATWELL, Orono.  
LEVI B. PATTEN, Bangor.  
JOHN ROGERS, Stetson.

## ELEVENTH SENATORIAL DISTRICT—LINCOLN COUNTY.

ANDREW R. G. SMITH, Whitefield.



TWELFTH SENATORIAL DISTRICT—KNOX COUNTY.

NELSON THOMPSON, Friendship.

THIRTEENTH SENATORIAL DISTRICT—WALDO COUNTY.

RANDALL W. ELLIS, Belfast.

CASSIUS C. ROBERTS, Stockton.

FOURTEENTH SENATORIAL DISTRICT—HANCOCK COUNTY.

WILLIAM GRINDLE, Penobscot.

HIRAM D. COOMBS, Gouldsboro.

FIFTEENTH SENATORIAL DISTRICT—WASHINGTON COUNTY.

AUSTIN HARRIS, East Machias.

ALDEN BRADFORD, Eastport.

SIXTEENTH SENATORIAL DISTRICT—AROOSTOOK COUNTY.

EDMUND MADIGAN, Houlton.

[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-nine, and of the Independence of the United States of America the one hundred and third.

(Signed)

S. J. CHADBOURNE,

*Secretary of State.*

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

Messrs. Andrews, Atwell, Barker, Bradford, Chase, Cobb, Coombs, Duran, Ellis, Ferguson, Grindle, Harris, Hawes, Haynes, Linn, Madigan, Mayhew, Moody, Morrison, Parlin, Patten, Prince, Redlon, Roberts, Rogers of Penobscot, Rogers of Sagadahoc, Smith, Thomas, Thompson, Vinton and Wait.

And a quorum of Senators elect was present.

On motion by Mr. VINTON,

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. Vinton 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 \*5 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. ROGERS of Sagadahoc,

Messrs. Rogers of Sagadahoc, Atwell of Penobscot and Harris of Washington, 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
J. Manchester Haynes has.....	18
Edmund Madigan.....	10

The report was accepted, and Hon. J. Manchester Haynes was declared duly elected President of the Senate for the current political year.

Mr. Haynes was conducted to the chair by Mr. Thomas of Cumberland and Mr. Madigan of Aroostook, and thereupon addressed the Senate as follows:

SENATORS,—For this honor which you have conferred upon me, I thank you very much.

It that restless aspiration which ever disturbs the tranquility of the human heart, has prompted me to desire it, face to face, at last with its grave responsibilities, I shrink before the magnitude of the task.

Observation has taught me that it is always a position of care and responsibility, while for me I know not what may be its trials and perils.

\*6 \*But as you have chosen me to be your servant, through whom not my will but yours is to be expressed, I may find some encouragement in the consideration you will give to my inexper-

ience in delivering to me your instructions and commands. As I shall speak only to proclaim your wishes, if I err in pronouncing them, I may appeal to you for direction.

The familiar and welcome faces of some of you, direct me to the confidences and friendships of the past, as an assurance of the friendships of the future. Nor can I doubt that a more extended acquaintance with you all will result in more extensive friendships.

We are about to enter upon the discharge of a high trust, the dignity of which cannot be too greatly magnified, so that the responsibility of it may not be too lightly appreciated.

We are about to perform what Socrates declared to be the most difficult of human endeavors—acts of government. We are to perform these acts in a republic more pure and perfect than any ideal of Plato, whose law-givers have been wiser than Solon or Pericles, and whose intellectual progress will some day rival, if it does not surpass the art of Phidias, the pen of Sophocles, the tongue of Demosthenes.

Sweep the centuries of human struggles for liberty, and you shall not find in any exceptional vicissitudes of human fortune a people more prosperous and happy than that which has sent us here to preserve and \*promote that peace and prosperity. \*7 Spencer says "the tendency of civilization is to repress the antagonistic elements of our nature and develop the social ones, to replace private gratifications with those involving the happiness of others."

Thus our form of government is the political aspect of the progress of civilization. The governing power is not exercised selfishly by one or a few, but the whole body of the people, recognizing the equal rights of all, mutually forbearing, mutually sympathizing, agree to extend to each other such rights, and submit to such restraints as will promote the prosperity and happiness of all.

We seem to have now entered on a new era of national life. Our heroic, our ideal age seems to be drawing to a close; the scientific, the economic and practical age has begun.

We, the youngest of the nations, at last are growing old. Questions of finance, wages, labor, capital and the social order which have hitherto vexed the legislatures of the old world, have

crossed the Atlantic to confront us with their mysterious and Sphinx-like faces.

For more than twenty years the people of this State have so divided on the great questions of public policy that those questions have been practically determined at the polls. This year the introduction of a new theory of public policy has so far

further divided the people that a new and unusual duty \*8 under the \*Constitution is imposed on this Legislature. It

is to be hoped that in so far as this branch shares in this responsibility, its action will be so prompt and decisive, its devotion to principle so unwavering, as to afford at once a test of the strength of the Constitution, and our reverence for it.

The historian Motley, speaking at a period of our great struggle for the suppression of the rebellion, says: "It is not strategists so much that are wanted as believers." The remark is applicable to the present phase of our State affairs, as to the whole field of American politics. It is not so much strategists that are wanted as men of faith—men who believe in our institutions, and in the integrity of the people to maintain them. Gloomy indeed will be the prospects of our State when the lofty ideals and hopes of its founders shall be replaced with doubt and unbelief. Whatever may be in store for the States of the Union, let the State of Maine continue to be in the future, as it has been in the past, the first in the purity of its public morals.

Thanking you again for this distinguished honor, the Chair is ready to proceed with the business of the session.

On motion by Mr. COBB,

Messrs. Cobb of Androscoggin, Moody of York and Mayhew of Kennebec, were appointed a Committee to receive, sort and count the votes for Secretary of the Senate.

\*9 \*Having attended to that duty, the Committee reported as follows:

The whole number of votes is.....	27
Necessary for a choice.....	14
Samuel W. Lane has.....	17
L. H. Murch.....	10

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

Mr. Lane signified his acceptance of the office, and

On motion by Mr. THOMAS,

Messrs. Thomas of Cumberland and Mayhew of Kennebec 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. Thomas subsequently reported that the Committee had attended to the duty assigned them, and that Samuel W. Lane had, before the Governor and 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 1878.

On motion by Mr. GRINDLE,

\*10 Messrs. Grindle of Hancock, Andrews of \*York and Rogers of Sagadahoc, 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.....	29
Necessary for a choice.....	15
Charles W. Tilden.....	19
Henry H. Robinson.....	10

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 protesatem*.

On motion by Mr. BRADFORD,

Messrs. Bradford of Washington, Redlon of Oxford and Madigan of Aroostook, 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.....	30
Necessary for a choice.....	16
Charles H. Lovejoy.....	19
E. F. Atwell.....	11

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

On motion by Mr. WAIT,

Messrs. Wait of Oxford, Smith of Lincoln and Atwell of \*11 Penobscot, 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..... 14

Necessary for a choice..... 8

A. B. T. Chadbourne has ..... 14

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

The President appointed Edwin C. Hendee, Page.

Mr. Thomas presented resolve relating to specie resumption, which was read.

On motion by Mr. BARKER,

That the resolve lie on the table.

It was determined in the negative—yeas, 11 ; nays, 20.

On motion by Mr. THOMAS,

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

Those who voted in the affirmative are :

Messrs. Atwell, Barker, Chase, Ellis, Linn, Madigan, Parlin, Patten, Roberts, Rogers of Penobscot, and Thompson—11.

Those who voted in the negative :

Messrs. Andrews, Bradford, Cobb, Coombs, Duran, Ferguson, Grindle, Harris, Hawes, Haynes, Mayhew, Moody, Morrison, Prince, Redlon, Rogers of Sagadahoc, Smith, Thomas, Vinton and Wait—20.

So the motion did not prevail.

\*12 The resolve was read a second time and \*passed to be engrossed.

Sent down for concurrence.

On motion by Mr. MOODY,

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. J. Manchester Haynes as President and Samuel W. Lane, Esq., as Secretary.

On motion by Mr. VINTON,

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. J. Manchester Haynes as President and Samuel W. Lane, Esq., as Secretary.

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. ANDREWS,

*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. Andrews of York, Redlon of Oxford, Hawes of Cumberland, Bradford of Washington, Atwell of Penobscot, Madigan of Aroostook, and Prince of Androscoggin 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  
\*13 \*sent down.

On motion by Mr. ROGERS,

*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.

On motion by Mr. HAWES,

*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.

Mr. ROGERS — presented the following :

*Ordered*, That the Secretary of the Senate procure the printing of——diagrams of the Senate Chamber for the use of the Senate.

Mr. ATWELL moved to fill the blank with the words “one hundred and twenty-five.”

The motion was agreed to and the order passed.

On motion by Mr. ATWELL,

*Ordered*, That the Rules and Orders of 1878 be the Rules and Orders of this Senate until otherwise ordered.

On motion by Mr. COBB,

*Ordered*, The House concurring, that the Joint Rules and Orders of 1878 be adopted as the Joint Rules and Orders of this Legislature until otherwise ordered.

On motion by Mr. VINTON,

*Ordered*, That the Secretary of the Senate be directed to furnish to each Senator and the officers of the Senate and \*14 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 elect.

On motion by the same Senator,

*Ordered*, That the compensation of the Page of the Senate is hereby established at the sum of one hundred dollars, which sum shall be in full for travel and all services by him rendered.

Mr. ROGERS presented the following:

*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 Unabridged 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.

Mr. VINTON moved to amend by striking out the words:

"One copy each of Webster's Unabridged Dictionary and Worcester's Unabridged Dictionary, Lippincott's Pronouncing Gazetteer, Cushing's Manual and the Holy Bible."

The amendment was agreed to, and the order passed.

On motion by Mr. FERGUSON,

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

On motion by Mr. VINTON,

\*15 \*At 30 minutes past 12 o'clock P. M.

The Senate adjourned.



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THURSDAY, JANUARY 2, 1879.

Senate met according to adjournment.

Prayer by Rev. Mr. ALLEN, Chaplain of the House.

The Journal of yesterday was read.

The President announced the Joint Select Committee on Gubernatorial votes on the part of the Senate as follows :

Messrs. Rogers of Sagadahoc,  
Roberts of Waldo,  
Bradford of Washington,  
Moody of York,  
Hawes of Cumberland,  
Atwell of Penobscot,  
Morrison of Franklin.

Sent down for concurrence. Came back concurred.

And Messrs. Dana of Portland,  
Brown of Bangor,  
Atwood of Livermore,  
Woodbury of Houlton,  
Burbank of New Vineyard,  
Homer of Bucksport,  
\*Weeks of Augusta,  
Perry of Camden,  
Reed of Boothbay,  
Farrington of Fryeburg,  
Hammond of Foxcroft,  
Kimball of Bath,  
Lawrence of Fairfield,  
Simpson of Searsport,  
Talbot of East Machias,  
Emery of Biddeford,

\*16

were joined on the part of the house.

A message was received from the House of Representatives by Mr. Dickey of Fort Kent, informing the Senate that the House has been duly organized by the choice of Hon. Melville P. Frank as Speaker, Benjamin L. Staples as Clerk and William E. Gibbs as Assistant Clerk.

On motion by Mr. ANDREWS,

*Ordered*, That the Secretary of the Senate cause to have printed appropriate heads on the paper and envelopes furnished for the use of the Senate.

On motion by Mr. VINTON, at 10-30 o'clock A. M.

The Senate took a recess until 11 o'clock A. M.

ELEVEN O'CLOCK, A. M.

On motion by Mr. VINTON,

The Senate adjourned.

\*17

\*FRIDAY, JANUARY 3, 1879.

Senate met according to adjournment.

Prayer by Rev. Mr. STERLING of Augusta.

The Journal of yesterday was read.

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

The Committee to whom was referred the Gubernatorial Vote of 1878, for examination and report, having attended to that duty, ask leave to report as follows:

The whole number of votes returned was...	126,169
Necessary for a choice.....	63,085
George T. Sewell had.....	1
George P. Sewell.....	5
Selden Connor.....	56,554
Alonzo Garcelon.....	28,208
Joseph L. Smith.....	41,371
J. L. Smith.....	2
Samuel Jordan.....	1
Joseph Smith.....	2
Frederick Robie.....	17
A. Garcelon.....	1
Joshua L. Chamberlain.....	2
Scattering.....	5

No choice by the people has been effected, and Selden Connor, Alonzo Garcelon, Joseph \*L. Smith and Fred- \*18 erick Robie, are the Constitutional Candidates.

(Signed) WILLIAM ROGERS, *Chairman*.

The report was accepted.

Sent down for concurrence.

Came back accepted in concurrence.

Mr. ANDREWS, 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.

William F. Moody has.....	5,745
John F. Ferguson.....	5,766
James M. Andrews.....	5,744
Edward C. Moody.....	4,003
Luther Ayer.....	3,785
Nahum P. Allen.....	3,788
Timothy Bracket.....	3,055
Geo. Stewart.....	3,048
Josiah A. Stover.....	2,871
Scattering.....	8

And William F. Moody, John F. Ferguson and James M. Andrews having received a plurality of votes cast are elected and entitled to seats.

#### SECOND SENATORIAL DISTRICT.

Warren H. Vinton has.....	7,756
William W. Thomas, Jr.....	7,844
Andrew Hawes.....	7,831
David Duran .....	7,838
Daniel W. True.....	6,141
Robert Edes.....	5,817
*Perez N. Blanchard.....	6,039
Charles B. Merrill.....	5,767
Charles E. Clifford.....	2,713
Edward A. Gibbs.....	2,934
Isaac F. Quimby.....	2,901
William B. Skillings.....	2,694
Scattering.....	157

\*19

And Warren H. Vinton, William W. Thomas, Jr., Andrew Hawes and David Duran having received a plurality of votes cast, are elected and entitled to seats.

### THIRD SENATORIAL DISTRICT.

Luther H. Ludden has.....	2,491
J. Everett Stewart.....	2,438
Francis W. Redlon.....	3,412
Wm. W. Wait.....	3,416
Scattering.....	9

And Francis W. Redlon and Wm. W. Wait having received a plurality of the votes cast, are elected and entitled to seats.

### FOURTH SENATORIAL DISTRICT.

Rufus Prince has.....	3,837
J. L. H. Cobb.....	3,837
Marshall Jordan.....	1,761
John G. Tibbets.....	1,391
Frank M. Fogg.....	2,857
Silas Morse.....	2,570
Scattering.....	75

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

### FIFTH SENATORIAL DISTRICT.

James Morrison, Jr., has.....	1,887
Rodolphus P. Thompson.....	1,718
*20 *Nathaniel B. Beal.....	398
Scattering.....	19

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 .....	2,218
Parker W. Whitman.....	1,363
Scattering.....	1

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

### SEVENTH SENATORIAL DISTRICT.

J. Manchester Haynes has.....	5,573
Moses S. Mayhew.....	5,715

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John Ware.....	2,298
Oscar Holway.....	2,314
Sewell Pettingill.....	3,148
James D. White.....	3,129
Scattering.....	6

And J. Manchester Haynes, and Moses S. Mayhew, having received a plurality of the votes cast, are elected and entitled to seats.

#### EIGHTH SENATORIAL DISTRICT.

Amos F. Parlin has.....	4,290
Archibald Linn.....	4,184
Nahum Totman.....	2,895
Lewis Wyman.....	2,978
Scattering.....	62

And Amos F. Parlin and Archibald Linn, having received a plurality of the votes cast, are elected and entitled to seats.

#### NINTH SENATORIAL DISTRICT.

Jason Hassel has.....	1,575	
*Andrew J. Chase.....	1,602	*21
Scattering.....	5	

And Andrew J. Chase, having received a plurality of the votes cast, is elected and entitled to a seat.

#### TENTH SENATORIAL DISTRICT.

Edward B. Nealley has.....	6,271
Daniel F. Davis.....	6,234
Lloyd W. Drake.....	6,222
Samuel W. Mathews.....	6,224
Noah Barker.....	8,636
John W. Atwell.....	8,647
Levi B. Patten.....	8,478
John Rogers.....	8,611
Scattering.....	0

And Noah Barker, John W. Atwell, Levi B. Patten and John Rogers, having received a plurality of the votes cast, are elected and entitled to seats.

#### ELEVENTH SENATORIAL DISTRICT.

Andrew R. G. Smith has .....	2,048
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Uriah W. Woodward.....	1,853
Joseph H. Hiscock.....	856
Scattering.....	2

And Andrew R. G. Smith, having received a plurality of the votes cast, is elected and entitled to a seat.

#### TWELFTH SENATORIAL DISTRICT.

Nelson Thompson has .....	2,277
John S. Case .....	2,178
George W. Ricker .....	1,650

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

#### \*22 \*THIRTEENTH SENATORIAL DISTRICT.

Edward P. Hahn has.....	2,098
William Smith.....	2,103
Randall W. Ellis.....	4,382
Cassius C. Roberts .....	4,456
Randall Ellis .....	227
Scattering.....	10

And Randall W. Ellis and Cassius C. Roberts, having received a plurality of the votes cast, are elected and entitled to seats.

#### FOURTEENTH SENATORIAL DISTRICT.

Madbury Kingman has.....	1,724
Henry L. Wooster .....	1,776
Hiram D. Coombs.....	3,052
William Grindle.....	3,572
Alvin Bartlett.....	3
Meletiah K. Chase.....	1,406
Alvin A. Bartlett.....	1,393
Scattering.....	21

And Hiram D. Coombs and William Grindle, having received a plurality of the votes cast, are elected and entitled to seats.

#### FIFTEENTH SENATORIAL DISTRICT.

Austin Harris has.....	3,533
Alden Bradford .....	3,539
John D. Lawler.....	3,264
John T. Wallace, Jr.....	3,167
John T. Wallace .....	292

And Austin Harris and Alden Bradford, having received a plurality of the votes cast, are elected and entitled to seats.

## SIXTEENTH SENATORIAL DISTRICT.

John S. Arnold has..... 2,269

Edmund Madigan..... 3,262

\*And Edmund Madigan, having received a plurality of the \*23 votes cast, is elected and entitled to a seat.

(Signed) JAMES M. ANDREWS, *Chairman*.

The report was accepted.

Mr. ANDREWS presented the following :

*Ordered*, That a message be sent to the House of Representatives proposing a convention of both branches of the Legislature in the Hall of the House of Representatives this afternoon at three o'clock, for the purpose of electing a Secretary of State, State Treasurer, Attorney General, Adjutant General and seven Executive Councillors, and asking the concurrence of the House.

And on motion by Mr. VINTON,

*Ordered*, That it lie on the table.

On motion by Mr. PATTEN,

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

On motion by Mr. ATWELL,

*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 1878.

On motion by Mr. ELLIS,

*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 examine into the civil service of the State, to see what offices, if any, \*may be abolished and \*24 what reduction should be made in salaries to correspond with the times.

And Messrs. Ellis of Waldo, Moody of York, and Hawes of Cumberland were appointed on the part of the Senate.

Sent down for concurrence.

On motion by Mr. REDLON, at 40 minutes past 10 o'clock.

The Senate took a recess until eleven o'clock A. M.,

ELEVEN O'CLOCK, A. M.

Called to order by the President.

A message was received from the House of Representatives by Mr. Dana of Portland, informing the Senate that no persons having a majority of votes for Governor, the House of Representatives have from the persons having the four highest number of votes on the lists, elected Alonzo Garcelon and Joseph L. Smith candidates for that office, agreeably to the provisions of the Constitution.

On motion by Mr. VINTON,

*Ordered*, That a Committee of three be appointed to receive, sort and count the votes for Governor. And Messrs. Vinton of Cumberland, Mayhew of Kennebec, and Madigan of Aroostook were appointed said Committee.

Having attended to that duty, Mr. Vinton from the Committee reported as follows:

	Whole number of votes is.....	31
*25	*Necessary for a choice.....	16
	Alonzo Garcelon has .....	21
	Joseph L. Smith.....	10

And the Committee further report that they have sealed up the ballots and hereby forward them as annexed to this report.

The report was accepted, and Hon. Alonzo Garcelon was declared Constitutionally elected Governor of the State of Maine for the current political year.

On motion by Mr. VINTON,

*Ordered*, That a message be sent to the House of Representatives informing that branch that the Senate on its part has made choice of Alonzo Garcelon as Governor for the current political year, agreeably to the provisions of the Constitution.

The message was conveyed by the Secretary of the Senate.

On motion by Mr. MADIGAN,

*Ordered*, That a Committee of three on the part of the Senate, with such as the House may join, be appointed to wait on Hon. Alonzo Garcelon and inform him that he has been duly elected Governor agreeably to the provisions of the Constitution.

And Messrs. Madigan of Aroostook, Roberts of Waldo, and Rogers of Penobscot were appointed on the part of the Senate.

Sent down for concurrence. Came back concurred, with Messrs. Brown of Bangor, Wilson of Thomaston, Dickey of Fort Kent,



Ingraham of Portland, Perry of Camden, Hanscomb of Milo, \*Andrews of Cornish, joined on the part of the House. \*26

On motion by Mr. GRINDLE,

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

Sent down for concurrence.

Subsequently came back concurred.

On motion by Mr. ANDREWS,

The order proposing a convention of both branches of the Legislature *this afternoon at three o'clock* for the purpose of electing certain State officers and Executive Councillors was taken from the table.

The order was amended by striking out the words "*this afternoon at three o'clock*" and inserting instead the word "*forthwith*," and passed.

The Secretary of the Senate was directed to deliver the message to the House.

A message was received from the House of Representatives, by Mr. Pickard of Bangor, proposing a Convention of both branches of the Legislature, in the Representatives' Hall, at a quarter past 12 o'clock for the purpose of electing a Secretary of State, State Treasurer, Attorney General, Adjutant General, and seven Executive Councillors, and asking the concurrence of the Senate.

On motion by Mr. COBB,

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, \*27 where a Convention was formed.

#### IN CONVENTION.

On motion by Mr. PRINCE,

Messrs. Prince of Androscoggin, Roberts of Waldo, of the Senate. Messrs. Fox of Portland, Thomas of Yarmouth, Woodbury of Houlton, Perry of Camden, and Brackett of Cumberland of the House, were appointed a Committee to receive, sort and count the votes for Secretary of State.

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

The whole number of votes is.....	178
Necessary for a choice.....	90
Sumner J. Chadbourne has.....	83
Edward H. Gove.....	95

The report was accepted and Edward H. Gove was declared duly elected Secretary of State for the current political year.

On motion by Mr. MOODY of the Senate,

Messrs. Moody of York, and Barker of Penobscot of the Senate, and Messrs. Moulton of Scarborough, Curran of Calais, Rice of Rockland, Murch of Harrison and Richards of Gardiner, of the House, were appointed a Committee to receive, sort and count the votes for State Treasurer.

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

The whole number of votes is.....	172
Necessary for a choice.....	87
Esreff H. Banks has .....	77
Charles A. White.....	95

\*28 \*The report was accepted, and Charles A. White was declared duly elected State Treasurer for the current fiscal year.

On motion by Mr. BRADFORD of the Senate,

Messrs. Bradford of Washington, Thompson of Knox, of the Senate, Messrs. Guptil of Westbrook, Wood of Winthrop, Cunningham of Wiscasset, Lord of Standish and Morrill of Windham, 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 :

The whole number of votes is.....	173
Necessary for a choice.....	87
W. H. McLellan has.....	91
Henry B. Cleaves.....	82

The report was accepted, and W. H. McLellan was declared duly elected Attorney General for the current political year.

On motion by Mr. HOMER of Bucksport, of the House,

Mr. Homer of Bucksport, Messrs. Cobb of Androscoggin, and Parlin of Somerset, of the Senate. Messrs. Talbot of East Machias, Weeks of Augusta, Robbins of Eastport, and Morrill of Vienna, of the House, were appointed a Committee to receive, sort and count the votes for Adjutant General.

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

The whole number of votes is.....	173
Necessary for a choice.....	87
George L. Beal has.....	77
Samuel D. Leavitt.....	96

\*The report was accepted, and Samuel D. Leavitt was declared duly elected Adjutant General for the current political year. \*29

On motion by Mr. BROWN of Bangor, of the House,

The same Committee were appointed to receive, sort and count the votes for seven Executive Councillors.

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

The whole number of votes is.....	172
Necessary for a choice.....	87
Roscoe L. Bowers has.....	76
Charles E. Jose.....	76
William F. Garcelon.....	76
R. B. Shepherd.....	76
John S. Case.....	76
Silas C. Hatch.....	76
Benjamin Bussey.....	76
Edward C. Moody.....	96
Charles H. Chase.....	96
Frank M. Fogg.....	96
Simon S. Brown.....	96
Halsey H. Monroe.....	96
John B. Foster.....	96
Frederick G. Parker.....	96

The report was accepted, and Edward C. Moody, Charles H. Chase, Frank M. Fogg, Simon S. Brown, Halsey H. Monroe, John B. Foster, and Frederick G. Parker, were declared duly elected Executive Councillors for the current political year.

On motion by Mr. VINTON of the Senate,

*Ordered*, That the Secretary of the Convention \*be directed \*30 to inform Edward H. Gove of his election as Secretary of State, W. H. McLellan of his election as Attorney General, Charles A. White of his election as State Treasurer, Samuel D.

Leavitt of his election as Adjutant General, and Edward C. Moody, Charles H. Chase, Frank M. Fogg, Simon S. Brown, Halsey H. Monroe, John B. Foster, and Frederick G. Parker of their election as Executive Councillors.

The Convention then dissolved.

### IN SENATE.

Order from the House.

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

On motion by Mr. MOODY at half past one o'clock P. M.,  
The Senate adjourned.

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\*31

\*TUESDAY, JANUARY 7, 1879.

Prayer by Rev. C. A. CURTIS of Augusta.

The Journal of Friday was read.

On motion by Mr. BRADFORD,  
Adjourned.

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WEDNESDAY, JANUARY 8, 1879.

Prayer by Rev. Dr. QUINBY of Augusta.

Paper from the House :

A bill additional to, and amendatory of an act to supply the people of Portland with pure water, came up passed to be engrossed, and was read twice, the rules being suspended, and passed to be engrossed in concurrence.

Communications were received from Hon. S. J. Chadbourne, Secretary of State, transmitting the following annual reports for the year 1878 :

Of the American Asylum at Hartford.

Of the Bank Examiner.

Of the Commissioners of Fisheries.

\*32 Of the Managers of the Maine Industrial \*School for Girls.

Of the Trustees and Officers of the Maine Insane Hospital.

Of the Visiting Committee of the Maine Insane Hospital.

Of the Agents of Passamaquoddy and Penobscot Tribes of Indians.

Of the State Reform School, which were severally read, and

On motion by Mr. VINTON,

*Ordered*, That they lie on the table.

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 ending December 31, 1878, which was read, and

On motion by Mr. VINTON,

*Ordered*, That it lie on the table.

On motion by Mr. THOMPSON,

*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. Thompson of Knox, Mayhew of Kennebec, and Morrison of Franklin, were appointed on the part of the Senate.

Sent down for concurrence.

On motion by Mr. PRINCE,

*Ordered*. That the pay of Benjamin F. Stevens, as Messenger of the Senate, be made up \*for eleven days attendance with the usual mileage. \*33

On motion by Mr. HAWES,

*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. Hawes of Cumberland, Prince of Androscoggin, and Patten of Penobscot, were appointed on the part of the Senate.

Sent down for concurrence.

On motion by Mr. VINTON,

*Ordered*, That a message be sent to the House of Representatives, proposing a Convention of both branches of the Legisla-

ture this day at half past ten o'clock A. M., in the Hall of the House of Representatives, for the purpose of administering to Hon. Alonzo Garcelon, Governor elect, the oaths required by the Constitution to qualify him to enter upon the discharge of his official duties.

The message was conveyed by the Secretary.

Subsequently a message was received from the House by Mr. Staples, 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 purposes aforesaid, having arrived, the Senate proceeded to the Representatives' Hall, where a Convention was formed.

\*34

#### \*IN CONVENTION.

On motion by Mr. MADIGAN of the Senate,

Mr. Madigan of Aroostook of the Senate, and Messrs. Boynton of Bangor, and Jones of Lewiston of the House, were appointed a Committee to wait upon Hon. Alonzo Garcelon, 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.

Mr. Madigan 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 duly returned to the office of Secretary of State, having been examined and counted by the Legislature, it appearing therefrom that no

\*35 \*person had received a majority of all the votes given, and the House of Representatives having elected Hon. Alonzo

Garcelon and Hon. Joseph L. Smith as the Constitutional candidates for that office, from which the Senate has elected Hon. Alonzo Garcelon, who, having, in the presence of the two branches of the Legislature, taken and subscribed the oaths prescribed by the Constitution to qualify him to discharge his official duties.

I now 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 Hon. ALONZO GARCELON *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.*

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 :*

In accordance with the provisions of the Constitution of the State, you have assembled to discharge the duties imposed upon you by that instrument, and to enact such laws as in your judgment the happiness and prosperity of the people demand.

The year so recently terminated has been one of peculiar fruitfulness. Our flocks and herds have multiplied. No wide spread epidemic has prevailed within our borders, and the blessings of health to an unusual degree have been vouchsafed to our people ; and yet surrounded by these favors, we are compelled to note that financial distress prevails to an unusual extent. Property has depreciated in value ; business interests are prostrated ; thousands of our people are out of employment, and other thousands are working at prices which barely keep themselves and their families from the poorhouse ; interest and taxes are paid with extreme difficulty or not at all ; and in all circles there is a feeling of despondency in relation to business enterprises.

As legislators, it is your duty to search with care for the causes which have produced these results, and so far as in you lies to apply the remedy for existing evils.

#### STATE EXPENDITURES.

The fact that our State expenditures, exclusive of any payments on account of our public debt, interest on the same, and of boun-

ties to soldiers or their families, have nearly tripled during the last twenty years, notwithstanding the fact that our population has remained almost stationary, is one of peculiar significance. I suggest for your consideration this entire subject. Unnecessary offices, if any are found, should be abolished, and the personnel of every department of the Government reduced to the minimum of absolute necessity. If three trustees can do the work of five or seven let the number be reduced; if one Commissioner of Railroads or other departments can do the work of three, and do it as well or better, let two be returned to the repose of private life or delegated to some more useful employment. The desire that was uppermost in the public mind during the late canvass and that was most strongly voiced in the election, is the desire for reform in the administration of State affairs, and I cannot too strongly urge upon you the necessity for the most thorough scrutiny of the civil service in all its branches in order that economy may be rigidly enforced and the burdens of taxation reduced to the lowest reasonable point.

#### BIENNIAL SESSIONS.

The annual session of the Legislature now required by the Constitution is attended with great expense, and it is believed a majority of the people demand a change of that instrument authorizing biennial sessions, as also a change in the time of holding elections. So great a saving of expense, both in time and money, can be effected by such changes that I have no hesitation in recommending a submission of these questions to the decision of the people.

#### TAXATION.

The subject of taxation is one which comes to the home and person of every voter of the State. The theory of a Republican government is, that every person should bear his just proportion of the burdens imposed for the protection of person and property and for the blessings of civil liberty secured to all. It is not to be denied that this theory fails in its practical operation under the existing laws in this State. The average rate of taxation upon real estate and farm property for a series of years has not been less than one and one-half per cent. During the same time a very large proportion of the accumulated capital of the State has been virtually exempt from all assessments. Probably more than one hundred millions of the accumulated wealth of his State is



invested in mortgages, railroad, municipal, county and State bonds, or deposited in savings banks, and it would seem but an act of justice to enact such laws, if practicable, as will compel the holders of such property to bear their just proportion of the public burdens. The tax imposed upon railroad stocks by the Legislature, some two or three years since, is wholly inoperative so far as the real owners of our railroads are concerned. As the matter now stands, the assessment made upon railroad stocks is simply an assessment upon the right of redemption. I trust your wisdom will devise some method of reaching the real owners, and compel the investments in this and kindred species of property to pay the same rate of taxation, according to their true valuation, as is imposed upon real estate and other fixtures.

#### INTEREST.

Closely connected with the subject of taxation is that of interest. By an act of a recent Legislature the law fixing the legal rate of interest at six per cent., was so far modified that any agreement upon the matter was made of binding force. The fact that we find upon our records agreements to pay twenty, fifty, and even eighty per cent., renders the inquiry pertinent whether the law should not be restored, not only in the interest of morality, but more especially for the protection of the ignorant and those who may be sorely distressed.

#### THE JUDICIARY.

The judiciary is an integral and necessary branch of the general government. As at present constituted the delay in the trial of causes and the difficulty of obtaining prompt and final decisions in cases of appeal are matters of great complaint. I commend to your consideration the various propositions which may be submitted to you, trusting that such a reorganization may be effected as will remove all reasonable objections and promote the ends of justice.

#### EDUCATION.

The Constitution of the State enjoins upon the Legislature the duty "to require the several towns to make suitable provision, at their own expense, for the support and maintenance of our public schools" and also "to encourage, and suitably endow from time to time, as the circumstances of the people may authorize, all academies, colleges, and seminaries of learning within the State."

Under and in compliance with this provision of our fundamental law, the annual assessment of our people in all the towns and cities throughout the State for the support of our public schools, has become a matter of statute regulation. These primary institutions have become the pride of our people, and they willingly bear any reasonable assessment for their support, providing that assessment is made in accordance with the provisions of the Constitution.

The tax, however, levied by the State upon the entire population, to be doled out by way of bounty to such towns as are able to establish what are termed Free High Schools, meets with decided opposition in many quarters. In the first place it is claimed that in no sense are they free schools except so far as the towns themselves in which they are located are concerned. Sparsely settled and impecunious towns, so situated that they are unable to establish such schools, although contributing to the support of such as are established in more favored places, have no claims upon the latter. Another objection urged with much force, is, that practically, these high schools are very expensive and that the children of the more favored classes are those who receive the benefits of their establishment. The introduction of the study of the dead languages and abstruse sciences into these schools, is of very questionable utility. The object of our common schools is the education of the masses within certain limits. Beyond these we have our Academies and Colleges where those who have the ability and disposition can avail themselves of their advantages at their own expense, as in duty-bound they ought.

As the representatives and guardians of the people this subject demands your careful examination, but I am sure you will have no disposition to do aught that will injure the efficiency of these primary institutions of learning, or take from the parents in their respective localities the responsibility and control of them; for it is a general truth that when responsibility terminates, interest begins to decline.

#### THE ELECTIVE FRANCHISE.

The duty of examining the safeguards thrown around the elective franchise and preserving the freedom and purity of elections in our own State, is a subject which comes especially under your supervision. Obstacles in the way of rightful registration should

be guarded against, and such penalties provided as will deter designing politicians or bitter partizans from interposing them. Intimidation at the muzzle of the musket or at the door of the pantry, involves the same principle. Any interference with the fullest and unbiased exercise of the elective franchise, whether at home or in other states, deserves the condemnation of every good citizen. To remove the beam in our own eyes is, however, as good a criterion of our sincerity and honesty of purpose, as bitter invectives against our neighbors. And I respectfully suggest the propriety of a submission to a vote of the people the propositions adopted by the Constitutional Commission of 1875 to prevent bribery, and guard the freedom and purity of elections.

#### STATE DEBT.

The indebtedness of the State is a subject that requires your careful attention, although no portion of the principal falls due during the present year. The act of 1875 repealing the act of 1865 establishing a sinking fund, has been criticised in many quarters as impolitic and unwise, and some provision, if possible, should be made towards supplying the deficiency created by that act, and to meet that portion of our liabilities which falls due in 1880. I have had no opportunity to examine the subject in detail, but must refer you to the report of the Treasurer for information thereon. The dictates of prudence require that early attention to this matter should not escape your consideration.

#### NATIONAL FINANCES.

The financial affairs of the country, although not a subject for your especial legislation, is one in which every citizen takes a deep interest, and upon which your voice may exert a potential influence. The result of the recent elections in this State was influenced to a greater or less degree by the discussions on this subject. One of these topics has passed into a reality, and resumption has become an accomplished fact. Time alone can determine the success or failure of the measure, but it is hoped that there may be no necessity for a retreat from so plain a duty, for, according to the Constitution of the United States, which is the supreme law of the land, and which every legislator, both of the State and the nation, swears to support, nothing but gold and silver can lawfully be made a legal tender for debt. The legal tender act was manifestly and unquestionably, with all due respect for a majority

opinion of a Supreme Court, reconstructed evidently for the purpose of declaring an adverse decision, a violation of the Constitution, and in its operation, in conjunction with the Act establishing national banks upon the basis of double interest, has brought disaster and misery upon the entire nation. Aided by their yoke-fellow, a protective tariff, there could not have been extracted from Pandora's box of evils three measures more prolific of mischief. They have increased the expenses of government; doubled our public debt; advanced the rates of interest; destroyed commerce; driven gold and silver from the country; prostrated our manufacturing industries; created an aristocracy of wealth; engendered profligacy and crime, and brought destitution and misery into the abodes of the laboring and industrial classes throughout the land. A compliance with the teachings and requirements of the Constitution of the country is the only course of safety. That instrument was framed by our forefathers who had suffered persecution for opinion's sake, endured hardships, fought a long and bloody war, realized the misery produced by a depreciated currency, and was adopted, after mature deliberation, as the guiding star of safety to conduct the Ship of State in its perilous passage through boisterous seas, and as a beacon light to warn against any Scylla or Charybdis which it might encounter in its future course. Any departure from its precepts, whether in peace or war, is fraught with the utmost danger, and in all our discussions and deliberations its provisions should be kept constantly in view.

The question of a circulating medium other than gold and silver is another branch of discussion upon the subject of our national finances. The return of these metals to the hands of the people under the resumption act will add materially to the volume of our circulating medium, and sooner or later under an indiscriminating and uniform coinage act, they may of themselves fill the void. In the meantime, whether United States Treasury notes, in multiples of five, ten or twenty dollars, or national, or State bank notes of like amounts, shall supply any deficiency, is a question which agitates the public mind. The only authority found in the Constitution in relation to the former is the authority given Congress in that instrument "to borrow money upon the credit of the United States." The objection urged against using the notes of the national banks is that these institutions are based upon a principle manifestly unjust, and which practically gives to the capitalist

double, or treble interest on his investment, and thereby increases the burdens of the people, who receive in return no valid compensation. A single examination of any of the reports of the comptroller of the currency during the last ten years will exhibit this matter in its true light. Take, for instance, the standing of these institutions on the 30th of October last, given in the latest report which has fallen under my observation, and the exhibit in round numbers is as follows :

Bank capital.....	\$466,000,000
Invested in bonds.....	442,000,000
Loans and discounts .....	830,000,000

Aggregating aside from investment in real estate, \$1,272,000,000 an amount, upon which they are drawing interest, equal to nearly three times the amount of capital invested. And as a compensation for paying the interest on this enormous amount at bank rates, the public receives the benefit of a circulating medium of national bank notes of \$301,000,000. In view of such facts, if the authority to issue treasury notes to a fixed amount, and sufficient for the necessities of business, under the Constitution, is clear and unmistakable, there will be no doubt as to which method the people will prefer.

As before remarked, it is not your especial business to legislate upon national matters, but you have the right to indicate to our Senators and Representatives in Congress, by resolution or otherwise, what you believe to be the wishes of your constituents and for their best interests.

#### CONCLUSION.

The circumstances under which I have been called to assume the duties of the Chief Executive officer of the State, prevent me from entering into details as to the condition and requirements of the various industrial and reformatory institutions placed under our supervision. For particulars in reference to these matters I must refer you to the reports of the several officers in charge of them, which will be submitted for your inspection at as early a period as practicable. The importance of making suitable appropriations for the successful management and well being of these institutions will be apparent to you all. While urging upon you the importance of strict economy, and a careful scrutiny into the

necessity of any, and all of your appropriations, it must not be forgotten that liberality even, in some directions, is true economy, and that the best interests of the State may be best subserved by judicious expenditures.

The position, gentlemen, to which I have been so unexpectedly called by your votes, is one of grave responsibility. I shall endeavor to discharge its duties to the best of my ability, seeking only the interest of all our people, irrespective of political factions or local interests. You will have my co-operation by the approval of all judicious enactments having for their object the promotion of education, the suppression and prompt punishment of crime, the curtailment of unnecessary expenditures, and of every measure that reasonably promises to lessen the burdens of taxation, or that is designed to ameliorate the sufferings, and add to the prosperity and comfort of our people.

On your part, I am sure you will be actuated by the same purpose, and will devote your best energies to secure these results. I trust that your deliberations will be harmonious, and that the acerbity of party spirit will be forgotten, in your desire to promote the interests of your constituents, and to make this legislature, of which you are the members, conspicuous for its economy, industry, sobriety, and for its wise and judicious enactments.

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

#### IN SENATE.

On motion by Mr. SMITH,

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

\*36 \*Communications were received from Hons. Edward C. Moody, Charles H. Chase, Frank M. Fogg, Simon S. Brown, John B. Foster, Halsey H. Monroe, and Frederick G. Parker, Executive Councillors elect, signifying their acceptance, which were read and sent down.

On motion by Mr. VINTON,

*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. Edward C. Moody, Charles H. Chase,

Frank M. Fogg, Simon S. Brown, John B. Foster, Halsey H. Monroe, and Frederick G. Parker, Councillors elect, the oaths required by the Constitution to qualify them to enter upon the discharge of their official duties.

The message was conveyed by the Secretary.

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

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

#### IN CONVENTION.

On motion by Mr. VINTON of the Senate,

*Ordered*, That the Secretary of the Convention notify Hons. Edward C. Moody, Charles H. Chase, Frank M. Fogg, Simon S. Brown, John B. Foster, \*Halsey H. Monroe, and \*37 Frederick G. Parker, Councillors elect, that the two branches of the Legislature are now assembled in Convention for the purpose of administering to them the oaths required by the Constitution to qualify them to enter upon the discharge of their official duties.

The Secretary subsequently reported that he had discharged the duty assigned him, and that the Councillors elect were pleased to say that they would attend upon the Convention forthwith for the purposes indicated in the message.

Thereupon Edward C. Moody, Charles H. Chase, Frank M. Fogg, Simon S. Brown, John B. Foster, Halsey H. Monroe, and Frederick G. Parker, Councillors elect, came in, and in presence of both houses of the Legislature, and before the President of the Senate, took and subscribed the oaths required by the Constitution to qualify them to enter upon the discharge of their official duties.

The Councillors then retired.

On motion by Mr. BRADFORD of the Senate,

*Ordered*, That a message be sent to the Governor, by the Secretary, informing him of the election and qualification of Hons. Edward C. Moody, Charles H. Chase, Frank M. Fogg, Simon S. Brown, John B. Foster, Halsey H. Monroe, and Frederick G. Parker, as Executive Councillors for the current political year.

The message was conveyed by the Secretary.

The Convention then dissolved.

\*38

## \*IN SENATE.

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

*On the Judiciary.*

Messrs. Vinton of Cumberland,  
 Thomas of Cumberland,  
 Morrison of Franklin, *of the Senate* ;  
 Messrs. Wilson of Thomaston,  
 Brown of Bangor,  
 Rice of Rockland,  
 Locke of Portland,  
 Spaulding of Richmond,  
 Moulton of Scarboro',  
 Wallace of Belfast, *of the House*.

*On Legal Affairs.*

Messrs. Redlon of Oxford,  
 Prince of Androscoggin,  
 Madigan of Aroostook, *of the Senate* ;  
 Messrs. Curran of Calais,  
 Ingraham of Portland,  
 Hutchinson of Lewiston,  
 Andrews of Cornish,  
 Lewis of Sherman,  
 Poor of Sebago,  
 Perry of Camden, *of the House*.

*On Financial Affairs.*

Messrs. Rogers of Sagadahoc,  
 Moody of York,  
 Hawes of Cumberland, *of the Senate* ;  
 \*39 \*Messrs. Boynton of Bangor,  
 Fox of Portland,  
 Homer of Bucksport,  
 Young of Brunswick,  
 Sargent of Sedgwick,  
 Hatch of Alton,  
 Lawrence of Fairfield, *of the House*.



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*On Federal Relations.*

- Messrs. Parlin of Somerset,  
Hawes of Cumberland,  
Mayhew of Kennebec, *of the Senate* ;  
Messrs. Brown of Bangor,  
Weeks of Augusta,  
Moulton of Sanford,  
Perkins of Fort Fairfield,  
Bragdon of York,  
Parcher of Saco,  
Lamson of Freedom, *of the House*.

*On Education.*

- Messrs. Ferguson of York,  
Smith of Lincoln,  
Thompson of Knox, *of the Senate* ;  
Messrs. Pickard of Bangor,  
Guptill of Gorham,  
Poor of Sebago,  
Irish of Buckfield,  
Hersey of Sumner,  
Burbank of New Vineyard,  
Wood of Winthrop, *of the House*.

*On Railroads.*

- Messrs. Thomas of Cumberland,  
\*Cobb of Androscoggin,  
Vinton of Cumberland, *of the Senate* ;  
Messrs. Dana of Portland,  
Pickard of Bangor,  
Dingley of Auburn,  
Hinckley of Bluehill,  
Wilson of Thomaston,  
Libby of Waterboro',  
Homer of Bucksport, *of the House*.

*On Commerce.*

Messrs. Moody of York,  
Coombs of Hancock,  
Thompson of Knox, *of the Senate*;  
Messrs. Talbot of East Machias,  
Tyler of Waldoboro',  
Reed of Boothbay,  
Kimball of Bath,  
Hall of Newcastle,  
Willoughby of Rockland,  
Russ of Deer Isle, *of the House*.

*On Mercantile Affairs and Insurance.*

Messrs. Bradford of Washington,  
Duran of Cumberland,  
Patten of Penobscot, *of the Senate*;  
Messrs. Libby of Waterboro',  
Burr of Brewer,  
Farrington of Fryeburg,  
Hill of Union,  
Hankerson of Chelsea,  
Robinson of Oldtown,  
Reed of Boothbay, *of the House*.

\*41

*\* On Banks and Banking.*

Messrs. Prince of Androscoggin,  
Cobb of Androscoggin,  
Ellis of Waldo, *of the Senate*;  
Messrs. Ingraham of Portland,  
True of Paris,  
Young of Brunswick,  
Hanscom of Milo,  
Lord of Standish,  
Simpson of Searsport,  
Talbot of East Machias, *of the House*.

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*On Manufactures.*

- Messrs. Cobb of Androscoggin,  
Harris of Washington,  
Linn of Somerset, *of the Senate* ;  
Messrs. Taylor of Biddeford,  
Eldridge of Dexter,  
Jones of Lewiston,  
Gibbs of Bridgton,  
Wing of Farmington,  
Merrill of Freeport,  
Lane of Leeds, *of the House*.

*On Agriculture.*

- Messrs. Wait of Oxford,  
Grindle of Hancock,  
Rogers of Penobscot, *of the Senate* ;  
Messrs. Shaw of Lisbon,  
Brackett of Cumberland,  
Pinkham of Newfield,  
Wadsworth of Hiram,  
Irish of Buckfield,  
Ritchie of Winterport,  
\*Stinson of Woolwich, *of the House*.

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*On Military Affairs.*

- Messrs. Andrews of York,  
Smith of Lincoln,  
Atwell of Penobscot, *of the Senate* ;  
Messrs. Atwood of Livermore,  
Smith of Mapleton,  
Howe of Hanover,  
Gilman of Meddybemps,  
Simpson of Searsport,  
Robinson of Oldtown,  
Emery of Biddeford, *of the House*.

*On Interior Waters.*

Messrs. Harris of Washington,  
Andrews of York,  
Atwell of Penobscot, *of the Senate* ;  
Messrs. Dickey of Fort Kent,  
Robbins of Eastport,  
Steward of Skowhegan,  
Trueworthy of Orono,  
Perry of Poland,  
Golder of Rome,  
Murch of Casco, *of the House*.

*On State Lands and State Roads.*

Messrs. Grindle of Hancock,  
Thomas of Cumberland,  
Parker of Penobscot, *of the Senate* ;  
Messrs. Farrell of Van Buren,  
Beal of Avon,  
Hall of Hermon,  
Haley of Prospect,  
\*43 \*Nash of Machias,  
Cragin of Norridgewock,  
Sawyer of Temple, *of the House*.

*On Ways and Bridges.*

Messrs. Madigan of Aroostook,  
Rogers of Sagadahoc,  
Chase of Piscataquis, *of the Senate* ;  
Messrs. Bragdon of York,  
Meserve of Hollis,  
Hatch of Alton,  
Douglas of Upton,  
Barron of Topsham,  
Higgins of Thorndike,  
Jones of China, *of the House*.

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*On Fisheries.*

- Messrs. Coombs of Hancock,  
Wait of Oxford,  
Duran of Cumberland, *of the Senate* ;  
Messrs. Farrington of Fryeburg,  
Vickery of Augusta,  
Higgins of Hampden,  
Moore of Machiasport,  
Pickett of Cape Elizabeth,  
Wincapaw of Friendship,  
Cragin of Norridgewock, *of the House.*

*On Counties.*

- Messrs. Barker of Penobscot,  
Mayhew of Kennebec,  
Coombs of Hancock, *of the Senate* ;  
Messrs. Kennedy of Jefferson,  
Pierce of Solon,  
\*Dodge of Bristol, \*44  
Garcelon of Lewiston,  
Beverage of North Haven,  
Weymouth of Clinton,  
Russ of Deer Isle, *of the House.*

*On Towns.*

- Messrs. Mayhew of Kennebec,  
Prince of Androscoggin,  
Madigan of Aroostook, *of the Senate* ;  
Messrs. Hanson of Lee,  
Murch of Ellsworth,  
Wass of Addison,  
Taylor of Biddeford,  
Smith of Auburn,  
Morrill of Windham,  
Hunt of Belmont, *of the House.*

*On Indian Affairs.*

- Messrs. Patten of Penobscot,  
Bradford of Washington,  
Ellis of Waldo, *of the Senate* ;
- Messrs. Woodcock of Princeton,  
Chapman of Plymouth,  
Chesley of Lincoln,  
Lewis of Ripley,  
Leach of Robbinston,  
Goulding of West Waterville,  
Hawes of Vassalboro', *of the House*.

*On Claims.*

- Messrs. Roberts of Waldo,  
Bradford of Washington,  
Parlin of Somerset, *of the Senate* ;
- \*45 Messrs. \*Fox of Portland,  
Hall of Alfred,  
Smart of Deering,  
Ives of Castine,  
Lovejoy of Albany,  
Martin of Monmouth,  
Morrill of Vienna, *of the House*.

*On Pensions.*

- Messrs. Atwell of Penobscot,  
Redlon of Oxford,  
Chase of Piscataquis, *of the Senate* ;
- Messrs. Weeks of Augusta,  
Oaks of Milford,  
Briggs of Parkman,  
Fennelly of Mt. Desert,  
Thomas of Farmington,  
Hodgkins of Lamoine,  
Stanley of Lyman, *of the House*.

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*On Insane Hospital.*

- Messrs. Smith of Lincoln,  
Harris of Washington,  
Rogers of Penobscot, *of the Senate* ;
- Messrs. Eaton of Wilton,  
Staples of Elliot,  
Chase of Canaan,  
Bracket of Cumberland,  
Dana of Portland,  
Thomas of Yarmouth,  
Pickett of Cape Elizabeth, *of the House.*

*On Reform School.*

- Messrs. Hawes of Cumberland,  
Morrison of Franklin,  
\*Linn of Somerset, *of the Senate* ; \*46
- Messrs. Cunningham of Wiscasset,  
Creamer of Washington,  
Smith of Hodgdon,  
Shapleigh of Kittery,  
Hammond of Foxcroft,  
Jones of Lagrange,  
Newton of Moose River, *of the House.*

*On State Prison.*

- Messrs. Morrison of Franklin,  
Ferguson of York,  
Wait of Oxford, *of the Senate* ;
- Messrs. Laughton of Harmony,  
Stiles of Westbrook,  
Cobb of Gray,  
Rigby of Newburg,  
Hurd of Northport,  
Woodbury of Houlton,  
Staples of Eliot, *of the House.*

*On Public Buildings.*

- Messrs. Linn of Somerset,  
Andrews of York,  
Patten of Penobscot, *of the Senate* ;  
Messrs. Taylor of Biddeford,  
Horne of Berwick,  
Hill of Howland,  
Seward of Garland,  
Rand of Gouldsboro',  
Wallace of Milbridge,  
Moor of Dayton, *of the House*.

*On Library.*

- \*47 \*Messrs. Thompson of Knox,  
Ferguson of York,  
Roberts of Waldo, *of the Senate* ;  
Messrs. Perry of Camden,  
Smart of Deering,  
Young of Brunswick,  
Ives of Castine,  
Ingraham of Portland,  
Newton of Moose River,  
Woodcock of Princeton, *of the House*.

On motion by Mr. VINTON,

The communications from the Secretary of State, transmitting certain annual reports, were taken from the table and the several reports referred to Committees, as follows :

The report of the American Asylum at Hartford, to the Committee on Education.

The report of the Bank Examiner, to the Committee on Banks and Banking.

The report of the Commissioners of Fisheries, to the Committee on Fisheries.

The report of the Trustees and Officers of the Maine Insane Hospital ; also the report of the Visiting Committee of the Maine Insane Hospital, to the Committee on Insane Hospital.



The reports of the Agents of the Passamaquoddy and Penobscot tribes of Indians, to the Committee on Indian Affairs.

The report of the Managers of the Maine Industrial School for Girls; also the report of the State Reform School, to the Committee on Reform School.

The foregoing were sent down for concurrence.

\*On motion by Mr. ROGERS of Sagadahoc, \*48

The communication of the State Treasurer, transmitting his annual statement and account of the receipts and disbursements for the year ending December 31, 1878, was taken from the table and the statement and account referred to the Committee on Financial Affairs.

Sent down for concurrence.

On motion by Mr. ELLIS,

*Ordered*, That the Committee on the Judiciary be instructed to inquire into the expediency of so changing the laws of the State as to make all persons who use the public highways of the State, do so at their own risk, and at the same time clothe the County Commissioners (if they are not already) with full power to compel towns to keep their roads in a safe condition for travel.

Sent down for concurrence.

On motion by Mr. ANDREWS,

*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.

An act additional to, and amendatory of an act to supply the people of Portland with pure water, came from the House passed to be enacted.

And on motion by Mr. THOMAS,

The Rule (Senate 20) was suspended and the foregoing bill 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. \*49

On motion by Mr. MOODY,  
Adjourned.

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THURSDAY, JANUARY 9, 1879.

Prayer by Rev. Mr. ECOB of Augusta.

The Journal of yesterday was read.

On motion by Mr. BARKER,

*Ordered*, That so much of the Governor's address as relates to "*interest*" be referred to the Committee on Legal Affairs.

On motion by Mr. MORRISON,

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

On motion by Mr. ELLIS,

*Ordered*, That the Committee on Education inquire into the expediency of providing by law for a uniformity of text books, throughout the common schools of the State, not to be changed only at specified times, and the contract for furnishing said books be awarded to the publishing house any where in the United States which will furnish the best grade of books at the lowest prices, the award to be made by a Committee appointed by \*50 the Governor \*after the specimen copies have been all sent in with prices attached.

Sent down for concurrence.

On motion by Mr. ROBERTS,

The Rules were suspended and the vote was reconsidered where-by the Senate passed the following:

*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. ELLIS,

That the foregoing order be indefinitely postponed, it was determined in the affirmative.

On motion by Mr. COOMBS,

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

On motion by Mr. MOODY,

*Ordered*, That the compensation of the clergyman, to be selected as Chaplain for the Senate, be two dollars per day, actual attendance, for the remainder of the session.

Mr. THOMPSON presented the petition of S. M. Brown and others for legislation relating to shore fisheries, which was referred to the Committee on Fisheries.

Mr. MORRISON presented the petition of M. W. Dutton and others, for the legalization of the location of public lots in township letter E, in Franklin county, which was referred to the Committee on State Lands and State Roads.

Also the petition of Moses M. Lander and \*others for the \*51 annexation of certain lots of land in Freeman to the town of Kingfield, which was referred to the Committee on Towns.

Mr. VINTON presented the petition of John W. Munger of Portland, with bill relating to sale of pews, which was referred to the Committee on the Judiciary.

The foregoing petitions were sent down for concurrence.

Communications were received from Hons. Edward H. Gove, Secretary of State, elect, Samuel D. Leavitt, Adjutant General, elect, and W. H. McLellan, Attorney General elect, signifying acceptance of the respective offices, which were read and sent down.

On motion by Mr. THOMPSON,  
Adjourned.

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FRIDAY, JANUARY 10, 1879.

Prayer by Rev. Mr. TILDEN of Augusta.

The Journal of yesterday was read.

Orders from the House :

That a Committee of seven on the part of the House with such as the Senate may join, be appointed to report the amount of money which the State has been accustomed to raise \*and \*52 expend for the support of deaf and dumb mutes at the Hartford School and other schools ; also the number of deaf mutes in the State according to the last census ; and to inquire into the expediency of establishing and supporting an institution for the deaf and dumb,

With Messrs. Perry of Camden, Gilman of Meddybemps, Hunt of Belmont, Talbot of East Machias, Andrews of Cornish, Cragin of Norridgewock, and Jones of China, appointed on the part of the House, was read, and

On motion by Mr. VINTON,

The Senate non-concurred in the passage of the order and referred the same to the Committee on Education.

Sent down for concurrence.

That the Committee on the Judiciary report amendments to chap. 24 of the revised statutes, known as the pauper law, so that said law may conform to the 14th amendment to the constitution of the United States, in accordance with a decision of the supreme court in the case of Portland vs. Bangor, as reported in the 65th of Maine,

Was read and passed in concurrence.

That all petitions or orders for legislation, except those for the redress of wrongs, which may be presented to this Legislature after Tuesday, January 21st, instant, be referred to the next Legislature, and that this order be published in the National Democrat, the Daily Kennebec Journal, Daily Eastern Argus, Bangor Daily

Whig, Farmington Chronicle, Daily Commercial, Lewiston \*53 Evening Journal, Bath Daily Times, \*Portland Daily Press, and Portland Daily Advertiser, provided this order may be suspended or reconsidered at any time by a majority vote of the members present,

Was read and passed in concurrence.

Petition of Wm. Buckman and others, for legislation providing for a bounty on crows ;

Petition of John Sprague ;

Petition of Benj. Alexander, and others ; severally for legislation providing for a bounty on bears ;

Petition of W. H. Rackliff and others, for legislation regulating toll on buckwheat ;

Were referred to the Committee on Agriculture in concurrence.

Petition of Joseph Nickerson and others, for authority to erect a dam across Campbell's Cove in Boothbay, was referred to the Committee on Commerce in concurrence ;

Petition of E. Costello and others, for change in the law regulating fishing in the Kennebec river ;

Petition of J. G. Tarbell and others, for an amendment of the law relating to fish in Denny's river ;

Petition of E. T. Burgis and others, for change in the law regulating fisheries and the propagation of fish ;

Were referred to the Committee on Fisheries in concurrence.

Petition of the directors of the Auburn Aqueduct Company, for an amendment of the charter of said company, was referred to the Committee on Interior Waters in concurrence.

\*54 \*Petition of W. H. Rackliff and others, for legislation regulating the rate of interest, was referred to the Committee on Legal Affairs in concurrence ;

Petition of David and James Moore, for deed of a lot of land ;

Petition of Alexander Ross and others, for an appropriation for a bridge in Mapleton plantation ;

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

Petition of Edmund T. Stewart and others, praying to be set off from Bridgton Center Village corporation, was referred to the Committee on Towns in concurrence ;

Bill to amend section 2, of chapter 396, approved March 1, 1870, concerning the destruction of alewives in Denny's river, was referred to the Committee on Fisheries in concurrence ;

Bill to amend chapter 6, section 40, of the revised statutes, was referred to the Committee on the Judiciary in concurrence.

On motion by Mr. MORRISON,

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

On motion by the same Senator,

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

On motion by Mr. BRADFORD,

*Ordered*, That the Committee on the Judiciary \*report \*55 what act, if any, be necessary to protect the life policy holders of this State against the mode known as the *rebate system*,

so recently reported by the Attorney General of this and other States as illegal.

On motion by Mr. VINTON,

*Ordered*, That the Committee on the Judiciary inquire if any further legislation is necessary in order to make more effectual the *lien laws* of the State.

On motion by Mr. COBB,

*Ordered*, That the Committee on Railroads inquire whether any change is necessary in chapter 258, of the public laws of 1874, relating to taxation of railroad companies.

The foregoing orders were sent down for concurrence.

Mr. ROBERTS presented the following:

*Ordered*, That the compensation of the official reporter of the Senate, be fixed at one hundred and fifty dollars for the session, including mileage,

And on motion of Mr. PATTEN,

*Ordered*, That it lie on the table.

On motion by Mr. HAWES,

*Ordered*, That the Committee on Mercantile Affairs and Insurance inquire into the expediency of changing the law in regard to licensing auctioneers so that they may be authorized to sell in any town in the State.

On motion by Mr. ANDREWS,

*Ordered*, The House concurring that the two branches of the Legislature at 11.30 o'clock A. M., this day proceed to the \*56 election of a Major \*General of Militia of Maine, in the manner provided by chapter 307 of the public laws of 1865. Sent down for concurrence. Came back concurred.

Mr. ATWELL presented the petition of J. W. Porter, for a reduction of salaries in Penobscot county, which was referred to the Penobscot county delegation.

Mr. THOMPSON presented the petition of Moses Owen and others of Cushing and Thomaston, for legislation to prohibit the taking of porgies and other fish along the shores of this State.

Also the petition of Franklin Trussell and others, for the same.

Also a bill for the protection of lobsters.

Which were severally referred to the Committee on Fisheries.  
Sent down for concurrence.

Mr. THOMAS presented a bill to amend section 7, chapter 120 of the revised statutes, relating to embezzlement, which was referred to the Committee on the Judiciary.

Sent down for concurrence.

The hour assigned by the Senate for the election of a Chaplain, having arrived,

On motion by Mr. SMITH,

Messrs. Smith of Lincoln, Bradford of Washington, and Roberts of Waldo, were appointed a Committee to receive, sort and count the votes for a Chaplain.

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

*The whole number of votes is.....	24	*57
Necessary for a choice.....	13	
C. F. Penney has.....	10	
J. H. Ecob.....	8	
C. A. Curtis.....	2	
H. W. Tilden.....	2	
G. W. Quinby.....	1	
C. Hayden.....	1	

And there was no choice.

The report was accepted.

The same Committee was directed by the President to receive, sort and count the votes for Chaplain.

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

The whole number of votes is.....	25
Necessary for a choice.....	13
C. F. Penney has.....	14
J. H. Ecob.....	9
C. A. Curtis.....	1
C. Hayden.....	1

The report was accepted and Rev. C. F. Penney of Augusta, was declared duly elected Chaplain of the Senate.

The hour assigned for the election of a Major General of the Militia having arrived,

On motion by Mr. ANDREWS,

Messrs. Andrews of York, Parlin of Somerset, and Harris of Washington, were appointed a Committee to receive, sort and count the votes for Major General of Militia.

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

*58	*The whole number of votes is.....	25
	Necessary for a choice.....	13
	Joshua L. Chamberlain has.....	25

The report was accepted, and General Joshua L. Chamberlain was declared duly elected on the part of the Senate, Major General of the Militia of Maine.

On motion by Mr. MADIGAN,

*Ordered*, That a message be sent to the House of Representatives informing that branch that the Senate has duly elected on its part Joshua L. Chamberlain as Major General of the Militia of Maine.

The message was conveyed by the Secretary.

Subsequently a message was received from the House of Representatives by Mr. Staples, its Clerk, informing the Senate of the concurrence of the House in the election of Joshua L. Chamberlain as Major General of the Militia of Maine.

On motion by Mr. ANDREWS,

*Ordered*, That the Secretary of the Senate be directed to inform the Governor that Joshua L. Chamberlain has been duly elected Major General of the Militia of Maine, by both branches of the Legislature.

On motion by Mr. ELLIS,

Adjourned.



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\*MONDAY, JANUARY 13, 1879. \*59

Prayer by the Chaplain, Rev. Mr. PENNEY of Augusta.

The Journal of Friday was read.

Orders from the House :

That a Joint Select Committee of sixteen, one from each county, on the part of the House with such as the Senate may join, be appointed to take into consideration the subject of a new State valuation, and report at as early a period as practicable, with

Messrs. Smart of Deering, Hammond of Foxcroft, Shaw of Lisbon, Dickey of Fort Kent, Sawyer of Temple, Hinckley of Bluehill, Hawes of Vassalboro', Wincapaw of Friendship, Reed of Boothbay, Lawrence of Fairfield, Simpson of Searsport, Barron of Topsham, Rigby of Newburg, Woodcock of Princeton, Moore of Dayton, Irish of Buckfield, appointed on the part of the House.

Was read and passed in concurrence, and

On motion of Mr. MOODY,

*Ordered*, That the Joint Select Committee to take into consideration the subject of a new State valuation, consist of five on the part of the Senate, one from each congressional district, to be nominated by the chair.

And Messrs. Moody of York, Prince of Androscoggin, Mayhew of Kennebec, Madigan \*of Aroostook, and Ellis \*60 of Waldo, were appointed on the part of the Senate.

That the Committee on Public Buildings be instructed to report to this House as early as practicable what can be done for the better ventilation of this hall and the probable expense thereof;

That the Committee on Mercantile Affairs and Insurance inquire what further legislation is necessary to protect the community as well as insurance companies against the evils resulting from excessive valuation of insurance property;

That the Committee on Legal Affairs inquire into the expediency of amending chapter 174 of the laws of 1877, relating to administrators and executors, so that the same may apply to guardians;

That the Committee on State Lands and State Roads inquire into the expediency of reporting a resolve appropriating a sufficient sum of money to repair the Baring and Houlton road leading across Indian Township, in Washington county, and also the road leading from said Houlton road to Grand Lake stream ;

That the Committee on State Lands and State Roads inquire into the expediency of granting a deed of the north part of lot No. 73 in Township D, Range 1, N. E. line or the State, to Lavinia P. Rollins ;

That the Committee on State Lands and State Roads inquire into the expediency of refunding to the owner of Lot 114, in \*61 Township F, Range 1, Aroostook county, the stumpage \*collected for trespass committed on said lot in the winter of 1876-7 ;

That the Librarian forward to the Gorham Normal School for the use of the school, one copy of the Revised Statutes, and one copy of the Acts and Resolves of each year since 1870 ;

That the Committee on the Judiciary inquire into the expediency of limiting the costs allowed prevailing parties in civil causes, for travel and attendance, to not exceeding two terms of court where such cause is pending ; or of establishing by law a fixed sum as allowance to prevailing parties for travel and attendance, or of full costs in any action pending in courts in this State ;

That the Committee on Mercantile Affairs and Insurance inquire into the expediency of abolishing the office of Insurance Commissioner, and assigning the duties of that office to the Secretary of State, for the purpose of reducing the expenses and increasing the resources of the State ;

That the Committee on Legal Affairs inquire into the expediency of amending sec. 4 of chap. 135 of the revised statutes, so that the court may require persons convicted of aggravated assault and battery to recognize to the State with sufficient sureties to keep the peace for a term not exceeding two years.

That the Committee on the Judiciary be directed to determine as to the expediency of restoring a jury fee to be paid by the \*62 moving \*party in all actions tried in the courts of this State before a jury ;

That the Committee on Education inquire into the expediency of repealing chaps. 115 and 124 of the public laws of 1873,

together with all subsequent amendments thereto, in relation to free high schools ;

That the Committee on the Judiciary inquire into the expediency of abolishing the office of Land Agent and transferring his duties to the office of Secretary of State or some other office ;

That the Committee on Fisheries inquire what amendments are necessary in order to render the fish laws intelligible and capable of being properly enforced ;

That the Committee on State Lands and State Roads inquire into the expediency of granting a deed of the south half of lot No. 25 in the south-west corner of Township No. 6, Range 4, Aroostook county, to Roxana Brown, widow of the late John W. Brown ;

That the Committee on State Lands and State Roads inquire into the expediency of furnishing to the citizens of the State of Maine, who will become actual settlers on the unimproved lands in Aroostook county, the same inducements and advantages offered to foreigners ;

Were severally read and passed in concurrence.

That chapter 11 of the revised statutes be amended by striking out section 3, relating to the abolition of school districts,  
\*came up passed and was read, and \*63

On motion by Mr. VINTON,

*Ordered*, That it lie on the table.

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 laws, shall be referred with

Messrs. Jones of Lewiston, Ingraham of Portland, Boynton of Bangor, Vickery of Augusta, Farrell of Van Buren, Moore of Machiasport, and Ritchie of Winterport, appointed on the part of the House.

Was read and passed in concurrence, and

Messrs. Coombs of Hancock, Prince of Androscoggin, and Roberts of Waldo, were joined on the part of the Senate.

That a joint Special Commitete with such as the Senate may join, be appointed to take into consideration a change in the laws

of insolvency passed by the Legislature of 1878, and report what laws may be necessary to secure the rights of both creditors and debtors, with the following appointed on the part of the House :

Messrs. Fox of Portland, Rice of Rockland, Kimball of Bath, Weeks of Augusta, Andrews of Cornish, Murch of Ellsworth, Lamson of Freedom.

Was read and,

On motion by Mr. VINTON,

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

Sent down for concurrence.

\*64 \*That a Committee of seven on the part of the House, with such as the Senate may join, be appointed to consider the Governor's message, and report a reference of its several subjects to appropriate committees, with the following appointed on the part of the House :

Messrs. Curran of Calais, Moulton of Scarboro, Talbot of East Machias, Haley of Prospect, Gibbs of Bridgton, Shaw of Lisbon, and Wing of Farmingdale ;

Was read and passed in concurrence, and

Messrs. Atwell of Penobscot, Harris of Washington and Duran of Cumberland, were appointed on the part of the Senate.

Petition of Simeon Allen and others, for the repeal of the eel law in Bagaduce river ;

Petition of Robert Jack and others of Bowdoinham, asking for a change of law regulating the fisheries in Kennebec river ;

Petition of A. W. Clark and others, for a law to prevent the destruction of smelts in the Medomak river ;

Petition of H. Carvill and others, to amend chapter 74, section 11, of the public laws of 1878, regarding close time for smelts ;

Petition of George W. Johnson and others, for enactment of a law prohibiting the taking of pickerel in any manner from Sibley's pond in Canaan ;

Petition of George Mitchell and others, for law prohibiting the taking of fish in Cambridge pond in the town of Cambridge, for a term of three years ;

Petition of Andrew R. Gay and others, \*relating to tak- \*65  
ing fish in Gay brook, in the town of Casco ;

Petition of Colby & Taylor ;

Petition of Issac Harrington and others ;

Petition of Thomas Merrill and others ;

Petition of John A Morry and others,—severally in relation to  
alewife fishing on the Damariscotta river ;

Petition of Robert C. Day and others ;

Petition of Francis Cobb and others,—severally for the protec-  
tion of shore fisheries, and to prohibit the fishing for porgies by  
steamers or other vessels with seines, within the waters of this  
State ;

Petition of Lewis Doughty and others ;

Petition of Abner C. Hill and others ;

Petition of Joseph A. Homan and others ;

Petition of Nahum Hinckley and others ;

Petition of Seth Webb and others ;

Petition of W. W. Walker and others ;

Petition of James M. Leavett and others ;

Petition of John E. Barter and others ;

Petition of Stephen Lowell and others ;

Petition of George Duly and others ;

Petition of Austin Kating and others ;

Petition of Joshua Adams and others ;

Petition of Thomas B. Stover and others ;

Petition of Renaldo Reed and others ;

Petition of J. W. Preston and others ;

Petition of S. S. Trevett and others ;

Petition of Allen Noyes and others ;

Petition of Jamas H. Hartford and others ;

Petition of Daniel Pillsbury and others ;

Petition of Charles Wyman and others ;

\*Petition of David N. Poor and others ;

\*66

Petition of Asa Thompson and others ;

Petition of Newell F. Trefethen and others ;

Petition of Edwin Reed and others ;

Petition of S. W. Sanford and others,—severally for the pro-  
tection of the shore fisheries and against the repeal of the porgy  
law ;

Were referred to the Committee on Fisheries in concurrence.

Petition of William Flynn and others ;

Petition of I. F. Wooster and others,—severally for an act of incorporation, with power and authority to erect and maintain a toll bridge over tide waters across Salmon Falls river York county ;

Petition of Andrew Miller and others ;

Petition of William Coffin and others,—severally to build a bridge across Aroostook river ;

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

Petition of R. C. Barker and others, for permission to build and run steamboats and other boats on the Mattawamkeag lake ;

Petition of W. A. Vaughn and others, for an act to prevent throwing of edgings into Caribou stream ;

Petition of C. H. Gilbert and others, for an act of incorporation, with power to build dams, erect piers, maintain booms, etc., on the Androscoggin river ;

Were referred to the Committee on Interior Waters in concurrence.

\*67 \*Petition of John S. Clifford, for deed of lot No. 1, No. 2 plantation, range 3, Aroostook county ;

Petition of Daniel Libby, for lot of land in the town of Limestone ;

Petition of William Thayer, for deed of lot No. 42 in township No. 2, range 3, Aroostook county ;

Petition of John M. Tapley and others, for deed of land in Aroostook county ;

Petition of C. B. Lovejoy of Perham plantation, asking that settling duties be waived on lot 131 in said town ;

Petition of the Inhabitants of Van Buren ;

Petition of Charles E. Jose & Co., and others ;

Petition of George E. Downes and others,—severally for an appropriation in aid of building a bridge across the St. John's river at Van Buren ;

Petition of Daniel Libbey and others, to convey land to Daniel Getchell ;

Petition of the inhabitants of Cyr Plantation, for deeds of lots of land in said plantation ;

Petition of Anson H. Young and others, for a resolve authorizing the Land Agent to convey to William Rowe of Crystal Plantation, Aroostook County, lot of land in said plantation ;

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

Petition of the Selectmen of the town of Milbridge, that the doings of said town in building a school house be made valid, with \*bill accompanying ; \*68

Petition of Gilman Smith and others, for such legislation as will make the doings of the town of Northfield to the present time legal ;

Petition of Charles B. Read and others, for act of incorporation of Lewiston and Auburn Telegraph Company, with bill accompanying ;

Petition of the Trustees of the Asylum of our Lady of Lourdes, for act of incorporation, with bill accompanying ;

Petition of John Burnham and others, for an act to reorganize the Sherman Soldiers' Monument Association ;

Petition of Reuben A. Rich and others, relating to building line fences ;

Petition of Samuel Henderson and others, for enactment of dog law ;

Were referred to the Committee on Legal Affairs in concurrence.

Petition of the Trustees of Bangor and Bucksport Railroad, for an act ratifying the mortgage of its franchise and property, with accompanying bill ;

Petition of J. W. Porter, for the reduction of pay of jurors and witnesses, and other needless court expenses ;

Petition of Winslow Bates and others, for a Municipal Court at Eastport ;

Petition of Charles A. Maxwell and others, for repeal of law for imprisonment for debt ;

Petition of Bion Bradbury and others, for repeal of laws for imprisonment for debt :

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- \*69 \*Petition of Jeremiah N. Libby and others, for authority to sell church property ;

Were referred to the Committee on the Judiciary in concurrence.

Petition of Thomas W. Porter, for adjustment of claim, was referred to the Committee on Claims in concurrence.

Petition of Charles Merrill and others, in relation to work of Stevedores, was referred to the Committee on Commerce in concurrence.

Petition of John G. Thayer and others, for the incorporation of Woodland Plantation into a town ;

Petition of Charles Watts and others, to have a lot of land set off from North Yarmouth annexed to Yarmouth ;

Petition of George Winslow and others, to be set off from North Yarmouth and annexed to the town of Yarmouth ;

Petition of A. M. Adams and others, for annexation of Perkins Plantation to the town of Waldo ;

Were referred to the Committee on Towns in concurrence.

Petition of Boston & Maine Railroad, for discontinuance of South Berwick branch, with accompanying bill, was referred to the Committee on Railroads in concurrence.

Petition of Jeremiah Tolman and others of Rockland, to be incorporated into a separate town, with accompanying bill ;

Petition of John E. Haley and others of Eaton, for division of said town ;

- \*70 \*Remonstrance of Eaton Brothers and others, against the division of said town ;

Remonstrance of the citizens of Freeman against the petition of M. Landers and others, to set off real estate and annex the same to the town of Kingfield ;

Were referred to the Committee on Towns in concurrence.

Memorial of the Maine Pharmaceutical Society, praying for an act explanatory of the Pharmacy Act of 1877, with accompanying bill, was referred to the Committee on Temperance in concurrence.



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Resolve in favor of James Cousins Jr., for reimbursing money paid to E. C. Burleigh, Land Agent, was referred to the Committee on Claims in concurrence.

Resolve authorizing the conveyance of lands in north half of Township No. 17, R. 6, W. E. L. S., was referred to the Committee on State Lands and State Roads in concurrence.

Resolve in favor of the abatement of State tax in Washington Plantation, was referred to the Committee on Financial Affairs in concurrence.

Resolve concerning the election of Governor by plurality vote ;

Resolve in aid of the deaf, dumb and blind ;

A bill to amend section 5, chapter 204 of the public laws of 1877 ;

Were referred to the Committee on the Judiciary \*in \*71 concurrence.

A bill to prevent the throwing of refuse into the waters of the Presumpscot river and tributaries, was referred to the Committee on Interior Waters in concurrence.

A bill to make valid certain instruments in writing, without the use of seals, was referred to the Committee on the Judiciary in concurrence.

A bill to amend chapter 93 of the laws of 1876, relating to assignment of wages, was referred to the Committee on Legal Affairs in concurrence.

A bill additional to an Act to incorporate the Rumford Falls and Buckfield Railroad Company, was referred to the Committee on Railroads in concurrence.

A bill to amend "an Act additional to chapter 97 of the revised statutes, relating to bastard children and their maintenance," approved February 19, 1878, was referred to the Committee on the Judiciary in concurrence.

A bill an Act to amend chapter 196 of the public laws of 1871, relating to river fisheries, was referred to the Committee on Fisheries in concurrence.

A bill to authorize the Cobb Lime Company, to engage in the manufacture of cement, was referred to the Committee on Manufactures in concurrence.

A bill to amend chapter 6 of the revised statutes concerning taxes, was referred to the Committee on the Judiciary in concurrence.

\*72 \*Resolve for the support of State paupers, came up, passed to be engrossed, and

On motion by Mr. CHASE,

*Ordered*, That it lie on the table.

A communication was received from Hon. Charles A. White, Treasurer elect, signifying his acceptance of the trust and transmitting his official bond, which was read, and

On motion by Mr. ROGERS of Sagadahoc,

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

Sent down for concurrence.

Mr. PATTEN presented the petition of the Penobscot tribe of Indians for change of time for holding elections of said tribe ; Also the petition of the Penobscot tribe of Indians, praying for appropriations ;

Which were referred to the Committee on Indian Affairs.

Mr. HARRIS presented the petition of John T. Wallace, Jr., and others, for authority to construct an aqueduct, with bill authorizing W. R. Sawyer to complete and extend an aqueduct in the town of Stuben ;

Which was referred to the Committee on Interior Waters.

Mr. THOMPSON presented the petition of Thomas A. Osier and others ;

Also the petition of S. H. Bingham and others ;

Also the petition of Wm. Parsons and others ;—severally for legislation for the preservation of lobsters ;

Which were referred to the Committee on Fisheries.

\*73 \*Also the petition of S. M. Bird and others ;

Also the petition of Alvin T. Oxton and others ;

Also the petition of C. E. Ulmer and others ; — severally praying that Ward seven of the city of Rockland be set off and incorporated as a town ;

Which were referred to the Committee on Towns.

The foregoing were sent down for concurrence.

Mr. ELLIS, presented the following :

*Ordered*, The House concurring that the Secretary of State be ordered to furnish each member of the House and Senate and their officers, with two boxes of stationery of the usual size each year and no more, and they shall be entitled to no other perquisites, and that he be further ordered to keep a detailed account of all stationery delivered to each department of State and all other disbursements of the same.

On motion by Mr. ANDREWS,

That the foregoing order lie on the table, it was determined in the affirmative, yeas 22, nays 3.

On motion by Mr. ELLIS,

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

Those who voted in the affirmative, are :

Messrs. Andrews, Atwell, Barker, Bradford, Cobb, Coombs, Duran, Ferguson, Harris, Hawes, Madigan, Mayhew, Moody, Morrison, Parlin, Patten, Prince, Redlon, Rogers of Penobscot, Rogers of Sagadahoc, Vinton and Wait — 22.

\*Those who voted in the negative, are

\*74

Messrs. Chase, Ellis and Thompson — 3.

So the order was laid on the table.

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

Messrs. Perry of Camden, Poor of Sebago, Woodcock of Princeton, Simpson of Searsport, Richards of Gardiner, Homer of Bucksport, and Cragin of Norridgewock.

On motion by Mr. ANDREWS,

Adjourned.

TUESDAY, JANUARY 14, 1879.

Prayer by the Chaplain.

The Journal of yesterday was read.

Orders from the House :

That the Committee on Education be required to explain chapter 56, section 5 of the school laws of 1872, and if practicable and judicious so amend said law, that towns and plantations shall annually raise fifty cents for each inhabitant in the place

\*75 \*of eighty cents as now required ;

That the Committee on State Lands and State Roads inquire into the expediency of conveying lots No. 3, range 3, of 11, range 4 in Silver Ridge Plantation in Aroostook county, to persons holding the land certificates of said lots ;

That the same Committee inquire into the expediency of granting a deed of lot 28 in township No. 18, range 7, to Samuel Stevens, the same having been fully paid for ;

That the Committee on Legal Affairs inquire into the expediency of providing by law that trial justices may, at their discretion, before issuing warrants, require the complainant to give bonds to pay all costs in case the complaint is not sustained ;

Were read and passed in concurrence.

Petition of Jonathan Bartlett and others of Montville, for legislation relating to the set off of certain territory from Montville and annexing the same to Liberty in 1876 :

Came up referred to the Committee on Legal Affairs, and

On motion by Mr. VINTON,

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

Sent down for concurrence.

Petition of the Assessors of Waldo Plantation of Aroostook county for legalization of certain proceedings in the organization of said plantation ;

Came up referred to the Committee on Towns, and

On motion by Mr. VINTON,

\*76 \*The Senate non-concurred and referred the petition to the Committee on Legal Affairs.

Sent down for concurrence.

Petition of J. L. Brown and others, for legislation in relation to shore and river fisheries.

Petition of David Golder and others, for legislation to prohibit the taking of trout from Great and Long ponds in the towns of Rome, Belgrade and Mt. Vernon.

Were referred to the Committee on Fisheries in concurrence.

Resolutions concerning an amendment of the Constitution of Maine, relating to biennial elections and sessions, was referred to the Committee on the Judiciary in concurrence.

A bill to amend chapter 22 section 6 of the revised statutes relating to line fences, was referred to the Committee on Legal Affairs in concurrence.

A bill to facilitate and equalize the transportation of freight and passengers over all railroads in the State, was referred to the Committee on Railroads in concurrence.

Petition of O. R. Sivois and others, of Madawaska for aid to build a bridge across the Martin stream in said town ;

Resolve amendatory of chapter 72 of the resolves of 1878, entitled "Resolve granting two lots of land to William Brown of Eagle Lake plantation under certain conditions ;"

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

\*Remonstrance of Francis Cobb and others against setting \*77 off Ward seven in Rockland and incorporating the same as a town, was referred to the Committee on Towns in concurrence.

On motion by Mr. VINTON,

*Ordered*, That the Secretary prepare and cause to be printed under his supervision and direction, the usual number of copies of the Journal of the proceedings of the present session of the Senate.

Mr. FERGUSON presented a bill in relating to school funds in the town of Shapleigh in the county of York, which was referred to the Committee on Education.

Also a bill for the further security of bonds from trespassers, which was referred to the Committee on Legal Affairs.

Mr. WAIT presented a bill to incorporate the Androscoggin river navigation and improvement company, which was referred to the Committee on Interior Waters.

Sent down for concurrence.

On motion by Mr. ELLIS,

The order introduced by the same Senator relating to the distribution of stationery by the Secretary of State, was taken from the table, and referred to the Committee on Civil Service.

Sent down for concurrence.

On motion by Mr. ROBERTS,

The order relating to the compensation of the official reporter of the Senate was taken from the table, and after discussion,  
\*78 \*Mr. Roberts, by unanimous consent, withdrew the order.

On motion by Mr. FERGUSON,  
Adjourned.

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WEDNESDAY, JANUARY 15, 1879.

Prayer by the Chaplain.

The Journal of yesterday was read.

Orders from the House :

That the Committee on Fisheries inquire into the expediency of so amending section 1, chapter 66 of an act passed at the last session of 1878, relating to fisheries, where it reads "from any land to land is not more than one mile," to read, "two miles from any land to land ;"

That the Committee on Mercantile Affairs and Insurance inquire into the expediency of amending chapter 49, section 19 of the revised statutes, relating to insurance ;

Were read and passed in concurrence.

Petition of the Municipal officers of the town of Glenburn, for the correction of error in the return of Supervisor of Schools, was referred to the Committee on Education in concurrence.

\*Petition of Caleb Fuller and others, to set off certain lots \*79 of land from the town of Woodstock and annex the same to the town of Paris, was referred to the Committee on Towns in concurrence.

Petition of Thomas Mason and others, for amendment of charter of the Wassataquoik Dam Company, was referred to the Committee on Interior Waters in concurrence.

Petition of Jeremiah Richardson and others, for enactment of a law giving bounty on bears and wolves, was referred to the Committee on Agriculture in concurrence.

Petition of Moses Riggs and others ;

Petition of J. W. Swett and others,—severally for an act to vest the franchise and property of Arrowsic bridge in the county of Sagadahoc, were referred to the Committee on Ways and Bridges in concurrence.

Petition of W. Hammond and others ;

Petition of W. A. Ricker and others,—severally for reduction of salaries of all officers for the county of York ; also a reduction of witness fees in criminal cases, came up referred to the Committee on Civil Service Reform, and

On motion by Mr. MOODY,

The Senate non-concurred and referred the petition to the York County Delegation.

Sent down for concurrence.

Petition of Wm. H. Ward and others ;

Petition of Samuel L. Lord and others ;

Petition of F. H. Lowell and others ;

Petition of R. A. Rich and others ;

\*Petition of L. S. Clark and others ;

\*80

Petition of Freeman Williams and others ;

Petition of J. B. Dingley and others ;

Petition of I. M. Boardman and others ;

Petition of Reuben S. Hunt and others,—severally for the protection of the shore fisheries and against the repeal of the porgy law, were referred to the Committee on Fisheries in concurrence.

Petition of Luther Ayer and others, for the repeal of the law for imprisonment for debt.

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Petition of Seth Spaulding and others, for repeal of act relating to appeal to Supreme Judicial Court by County Commissioners.

Petition of overseers of poor of Hiram ;

Petition of overseers of poor of Bangor ;

Petition of overseers of poor of Ellsworth ;

Petition of overseers of poor of Meddybemps ;

Petition of overseers of poor of Embden ;

Petition of overseers of poor of Newport ;

Petition of overseers of poor of Madison ;

Petition of overseers of poor of Bingham ;

Petition of overseers of poor of Brighton ;

Petition of overseers of poor of Lexington ;

Petition of overseers of poor of Industry ;

Petition of overseers of poor of Chesterville ;

Petition of overseers of poor of Belmont ;

Petition of overseers of poor of Chester ;

Petition of overseers of poor of Monroe ;

Petition of overseers of poor of Medway ;

Petition of overseers of poor of Knox ;

Petition of overseers of poor of Greenwood ;

Petition of overseers of poor of Livermore ;

\*81 \*Petition of overseers of poor of Harrison ;

Petition of overseers of poor of Burnham ;

Petition of overseers of poor of Medford ;

Petition of overseers of poor of Passadumkeag ;

Petition of overseers of poor of Madawaska ;

Petition of overseers of poor of New Vineyard ;

Petition of overseers of poor of Alexander ;

Petition of overseers of poor of Amity ;

Petition of overseers of poor of Linneus ;

Petition of overseers of poor of Wellington ;

Petition of overseers of poor of Shirley ;

Petition of overseers of poor of Hudson ;

Petition of overseers of poor of Salem ;

Petition of overseers of poor of Poland ;

Petition of overseers of poor of Detroit ;

Petition of overseers of poor of Columbia ;

Petition of overseers of poor of Eastport,—severally for change of law relating to paupers, were referred to the Committee on the Judiciary in concurrence.



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A bill to amend chapter 75 of the public laws of 1878, to regulate and protect fisheries and propagation of fish, was referred to the Committee on Fisheries in concurrence.

A bill to repeal chapter 117 of the public laws of 1873, in relation to Assistant County Attorneys;

A bill to make legal the doings of the Oquossoc Angling Association, were referred to the Committee on Legal Affairs in concurrence.

A bill relating to testimony;

A bill to amend chapter 91 section 33 of the \*revised \*82 statutes relating to lien for land rent;

A bill to amend chapter 45 of the revised statutes, relating to interest;

Were referred to the Committee on the Judiciary in concurrence.

The order providing for the appointment of a Joint Select Committee on Civil Service Reform, passed by the Senate, came from the House passed in concurrence with the Committee joined as follows:

Messrs. Brown of Bangor, Fox of Portland, Boynton of Bangor, Homer of Bucksport, Ritchie of Winterport, Hodgkins of Lamoine, and Hall of Newcastle.

The order authorizing the Committees on Education, State Prison, Insane Hospital, Reform School, Agriculture and Military Affairs, to visit certain institutions and report thereon, passed by the Senate came from the House indefinitely postponed, and

On motion by Mr. THOMAS,

*Resolved*, That the Senate adheres.

Sent down for concurrence.

On motion by Mr. MORRISON,

*Ordered*, That the Committee on the Judiciary inquire into the expediency of amending chapter 27 of the public laws of 1872, so as to provide a better method for the enforcement of lien claims upon animals.

On motion by Mr. THOMPSON,

*Ordered*, That the Committee on Civil Service Reform take into consideration the propriety of reducing the salary of the county \*attorney of Knox county.

\*83

Sent down for concurrence.

On motion by Mr. ANDREWS,

*Ordered*, That the State Treasurer procure three hundred copies of the Treasurer's report for 1878, for the use of the Senate.

Mr. THOMAS presented the petition of the managers of the Female Orphan Asylum of Portland for State aid in support of the children of soldiers, which was referred to the Committee on Military Affairs.

Mr. MOODY presented the remonstrance of David S. Austin and others against impairing the efficiency of the Insurance department of the State, which was referred to the Committee on Mercantile Affairs and Insurance.

Mr. MORRISON presented the remonstrance of N. W. Adams and others of Perkins plantation against annexing said plantation to the town of Weld, which was referred to the Committee on Towns.

Mr. THOMAS presented a bill to incorporate the Circuit Court Law Library Association, which was referred to the Committee on the Judiciary.

Mr. HARRIS presented a bill to reduce the valuation of township number 25, Middle Division, county of Washington, which was referred to the Committee on State Lands and State Roads.

Mr. VINTON, from the Committee on the Judiciary, on a bill explanatory of chapter 204 of the laws of 1877, reported \*84 that the same be \*referred to the Committee on Temperance.

The same Senator, from the same Committee, on resolve in aid of the deaf, dumb and blind, reported that the same be referred to the Committee on Education.

The same Senator, from the same Committee, on bill to make valid certain instruments in writing without the use of seals, reported that the same ought not to pass.

These reports were severally accepted.

Sent down for concurrence.

Mr. ROGERS of Sagadahoc, from the Committee on Financial Affairs, to whom was referred the official bond of Hon. Charles A. White, 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.

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

The Joint Committee on the Governor's Message, to which was referred the order of the Legislature relating to same, have attended to that duty, and ask leave to report :

That so much of the Governor's Message as refers to State expenditures, be referred to Committee on the Civil Service.

That so much of the message as refers to biennial sessions, be referred to the Committee \*on the Judiciary. \*85

That so much of the message as refers to taxation, be referred to the Committee on Legal Affairs.

So much of the message as refers to interest, be referred to the Committee on Legal Affairs.

So much as relates to the duties of Railroad Commissioners, be referred to the Committee on Railroads.

So much of the message as refers to judiciary, be referred to the Committee on the Judiciary.

So much of the message as refers to education, be referred to the Committee on Education.

So much as refers to elective franchise, be referred to the Committee on the Judiciary.

So much as refers to the State debt, be referred to Committee on Financial Affairs.

So much as refers to national finances, be referred to Committee on Federal Relations.

All of which is respectfully submitted.

G. W. ATWELL of Penobscot, } *Chairmen.*  
G. A. CURRAN of Calais, }

And pending its acceptance,

On motion by the same Senator,

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

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

*On bills in the Second Reading.*

Messrs. Bradford of Washington.  
Barker of Penobscot.  
Smith of Lincoln.  
Thompson of Knox.  
\*86 \*Wait of Oxford.  
Roberts of Waldo.  
Coombs of Hancock.  
Duran of Cumberland.  
Mayhew of Kennebec.  
Patten of Penobscot.  
Andrews of York.  
Parlin of Somerset.

*On Engrossed Bills.*

Messrs. Chase of Piscataquis.  
Rogers of Penobscot.  
Ellis of Waldo.  
Grindle of Hancock.  
Hawes of Cumberland.  
Moody of York.  
Harris of Washington.  
Linn of Somerset.  
Cobb of Androscoggin.  
Madigan of Aroostook.  
Ferguson of York.  
Rogers of Sagadahoc.

On motion by Mr. PATTEN,  
Adjourned.

## THURSDAY, JANUARY 16, 1879.

Prayer by the Chaplain.

Journal of yesterday was read.

Orders from the House :

The Senate concurring, that the Treasurer of State is hereby directed to inform the Legislature when the mileage of members was changed from ten to twenty cents per mile, and under what law said increase of mileage was authorized, was referred to the

Committee on Civil Service Reform in concurrence ;

\*That all matters relating to the reduction of salary of \*87 county officers in Oxford county, be referred to the county delegation from Oxford county ;

The Senate concurring, that the Secretary of State is hereby directed as soon as practicable to report to the legislature the whole amount which has been paid by the State to the Hartford Deaf and Dumb Asylum ; and also report the cost to the State of visiting the asylum by the Governor and other persons, giving the expenditure for each year respectively ;

That the Committee on the Judiciary inquire into the expediency of amending the laws relating to embezzlement ;

That the same committee inquire what further legislation is judicious and necessary in case of bail in criminal cases ;

That the Committee on Legal Affairs inquire into the expediency of amending section 24, chapter 24, of the revised statutes, by striking out in the 4th line of said section the words "three months" and inserting "thirty days" in place thereof ;

That the Committee on Legal Affairs examine into the expediency of a change in the law relating to the practice of medicine ;

That the Committee on Legal Affairs consider and report by bill or otherwise, what additional legislation is necessary and expedient in cases of appeal from municipal and police courts and trial justices to the Supreme Judicial Court in criminal cases ;

That the Committee on Education inquire \*into the expediency of amending chapter 11 of the revised statutes, by striking out section 3, relating to the abolishment of school districts ;

That the Committee on the Insane Hospital be directed to visit the Insane Hospital if it can be done without expense to the State ;

That the Committee on State Lands consider the advisability of giving to the county of Aroostook all rights the State has in the State lands situated in said county, providing they will take upon themselves the duty of the State in relation thereto ; and that if this course is not deemed advisable, or arrangement cannot be made with the county, then consider whether it would not be for the interest of the State to waive all claims against settlers and giving them deeds of their lands, thereby closing the land office at once ;

Were read and passed in concurrence.

Petition of citizens of Flagstaff and Bigelow Plantation, for change of boundary line for school purposes, was referred to the Committee on Education in concurrence.

Petition of Heman Blackwell and others, for bounty on bears, was referred to the Committee on Agriculture in concurrence.

Petition of J. D. Briggs and others, to make valid certain doings of the Assessors of Merrill Plantation, Aroostook county, was referred to the Committee on Legal Affairs in concurrence.

Petition of Vergil P. Hall and others, for re-enactment of \*89 chapter 76 of the laws of 1878, \*appropriating three hundred dollars to assist in building a road in the town of Mayfield.

Petition of Amasa Howe, for lot of land in Chapman Plantation, Aroostook county ;

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

Petition of Stephen Stanislaus and others ;

Petition of Lowey Neptune and others,—severally for appropriation for Passamaquoddy Indians ;

Petition of Stephen Stanislaus and others, for repeal of chapter 801 of resolve approved March 3d, 1874 ;

Were referred to the Committee on Indian Affairs in concurrence.

Petition of J. R. Bodwell and others of the city of Hallowell, that the city charter be revoked ;

Remonstrance of William Wilson and others, against same ;

Were referred to the Committee on Towns in concurrence.

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Petition of A. Waterhouse and others ;

Petition of Henry Little and others,—severally for an act to prevent the waste of liquors taken according to law ;

Remonstrance of Arcana Lodge ;

Remonstrance of Portland Temperance Union,—severally against the druggist bill, so-called ;

Were referred to the Committee on Temperance in concurrence.

Petition of W. E. Gibbs and others, for abolishment of imprisonment for debt ;

\*Petition of David Dudley and others, for an act relating \*90 to interest ;

Petition of J. W. Fairbanks and others, for the repeal of an act establishing a Municipal Court in Farmington ;

Petition of overseers of poor of Westport ;

Petition of overseers of poor of Southport ;

Petition of overseers of poor of Penobscot ;

Petition of overseers of poor of Eastbrook ;

Petition of overseers of poor of Moscow ;

Petition of overseers of poor of Sedgwick ;

Petition of overseers of poor of Raymond ;

Petition of overseers of poor of Sebago ;

Petition of overseers of poor of Dexter ;

Severally for change of law relating to paupers and for their support by the State ;

Were referred to the Committee on the Judiciary in concurrence.

Petition of O. E. Blackinton and others ;

Petition of Hezekiah H. Hall and others ;

Petition of William S. Hatch and others ;

Petition of Fred R. Clark and others ;

Petition of John T. Berry and others ;

Severally for the incorporation of the Rockland and Thomaston Water Company ;

Were referred to the Committee on Legal Affairs in concurrence.

Memorial of the Legislature of the State of Maine to Congress, for aid in building bridges over the St. John's river, was referred to the Committee on Federal Relations in concurrence.

Credentials of Newall Joseph, delegate from the Passamaquoddy tribe of Indians ;

\*91 \*Credentials of Sabattis Dana, delegate from the Penobscot tribe of Indians ;

Were referred to the Committee on Indian Affairs in concurrence.

Resolve reducing the salaries of all officials, was referred to the Committee on Civil Service Reform in concurrence.

Resolve relating to members of the Penobscot tribe of Indians, was referred to the Committee on Indian Affairs in concurrence.

A bill in addition to chapter 90 of the revised statutes relating to mortgages ;

A bill relating to the testimony of persons accused of crime ;

A bill to incorporate the Casco Bay Steamboat Company ;

A bill additional to chapter 64 of the revised statutes, relating to Executors and Administrators ;

Were referred to the Committee on the Judiciary in concurrence.

A bill regulating costs before Trial Justices, Police and Municipal Courts ;

A bill relating to compensation of referees ;

A bill giving County Commissioners jurisdiction over repairs of roads ;

Were referred to the Committee on Legal Affairs in concurrence.

A bill to amend chapter 66 of the public laws of 1878, relating to shore fisheries ;

A bill for the protection of lobsters ;

Were referred to the Committee on Fisheries in concurrence.

A bill to authorize the County of Androscoggin to procure  
\*92 a loan, was referred to the \*Androscoggin County Delegation in concurrence.

Report of the Committee on the Judiciary on the petition of J. W. Porter, for the reduction of salaries, that the same be referred to the Committee on Civil Service ;

Report of the same Committee on an order relating to the pauper law, that legislation thereon is inexpedient ;



Report of the same Committee on an order relating to abolishing the office of land agent, that legislation thereon is inexpedient ;  
Were severally accepted in concurrence.

The order providing for the appointment of a Joint Select Committee, to consider any changes in the Insolvency Law of 1878, referred by the Senate to the Committee on the Judiciary, came up and the House insists upon a Joint Select Committee as provided by the order.

The Senate receded and concurred, and  
Messrs. Madigan of Aroostook, Redlon of Oxford and Morrison of Franklin, were appointed on the part of the Senate.

A communication was received from John D. Myrick, Esq., State Librarian, transmitting the Eighteenth Annual Report of the State Library, which was read, and

On motion by Mr. MOODY,

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

Sent down for concurrence.

The order authorizing certain Committees to visit State institutions, passed by the Senate and indefinitely postponed by the House, the Senate subsequently voting to adhere, came  
\*from the House and that branch recedes and concurs. \*93

Mr. THOMAS presented the petition of the trustees of the Magdalen Cemetery Corporation for authority to convey real estate ;

Also the petition of the executors of F. O. J. Smith, in aid of the foregoing ;

Which were referred to the Committee on the Judiciary.

Sent down for concurrence.

Mr. MADIGAN presented resolve in favor of the Committee to inform the Governor of his election, which was read twice the rules being suspended and passed to be engrossed.

Sent down for concurrence.

Mr. THOMAS presented the remonstrance of W. D. Little and others, against the abolition of the office of Insurance Commissioner.

Mr. PATTEN presented the remonstrance of D. M. Howard and others against the same ;

Severally referred to the Committee on Mercantile Affairs and Insurance.

Mr. THOMPSON presented the petition of R. K. Benner and others, for authority to build and maintain a wharf in tide waters of Delano's cove in the town of Friendship, with accompanying bill ;

Which was referred to the Committee on Commerce.

Mr. WAIT presented the petition of inhabitants of school district No. 7, in Dixfield for legislation to legalize the doings of said district, which was referred to the Committee on Legal Affairs.

\*94 \*Mr. FERGUSON presented the petition of A. W. Penney and others, for legislation to prohibit the taking of salmon trout from the Branch river and its tributaries for a term of years, which was referred to the Committee on Fisheries.

Mr. MORRISON presented the petition of David Miller and others for an appropriation to complete the building of a road from Kingfield to Eustis in Franklin county, which was referred to the Committee on State Lands and State Roads.

Mr. VINTON presented a bill to repeal chapter 232 of the public laws of 1874, entitled an act additional to chapter 6 of the revised statutes, relating to taxes, which was referred to the Committee on the Judiciary ;

Severally sent down for concurrence.

On motion by Mr. ANDREWS,

The vote was reconsidered whereby the Senate passed the order directing the Treasurer of State to procure three hundred copies of the Treasurer's report for 1878.

And by unanimous consent the order was withdrawn.

On motion by Mr. PRINCE,

*Ordered*, That the delegation from Androscoggin county take into consideration the reduction of the salaries of the county officers of said county.

On motion by Mr. HAWES,

*Ordered*, That all matters relating to the reduction of salaries and emolument of county officers in Cumberland county be referred to the \*county delegation from that county. \*95

Sent down for concurrence.

On motion by Mr. COOMBS,

*Ordered*, That the Hon. William Grindle, Senator from Hancock, be excused from further attendance to this Legislature, and that the Secretary make up his pay for the session.

Mr. PRINCE, from the Committee on Legal Affairs, on so much of the Governor's Address as relates to interest, reported that the same be referred to the Committee on the Judiciary.

The report was accepted.

Sent down for concurrence.

Mr. ATWELL, from the Penobscot County Delegation, on the petition of J. W. Porter for reduction of salaries in Penobscot county, submitted the following :

That they would recommend that the pay of the County Commissioners be two dollars per diem while in service, and eight cents per mile actual, necessary travel each way, their pay being three dollars per diem and twelve cents per mile travel ;

That the salary of Judge of Probate be reduced from one thousand to six hundred dollars per annum ;

That the salary of Register of Probate be reduced from one thousand to eight hundred dollars per annum ;

That the salary of Clerk of Courts be reduced from fifteen hundred dollars to twelve hundred per annum ;

That the salary of Assistant Clerk be reduced from eight hundred to six hundred dollars \*per annum ; \*96

That the office of Slab and Edging Agent be abolished ;

That the salary of County Treasurer be reduced from twelve hundred to one thousand dollars per annum.

And the Committee would ask that the report be referred to the Committee on Civil Service Reform.

The report was read and referred to the Committee on Civil Service Reform.

Sent down for concurrence.

The official bond of Hon. Charles A. White, State Treasurer elect, came from the House approved in concurrence, and was by the Secretary lodged in the office of the Secretary of State.

On motion by Mr. ANDREWS,

Adjourned.

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FRIDAY, JANUARY 17, 1879.

Prayer by Chaplain.

The Journal of yesterday was read.

Orders from the House :

That matters relating to the reduction of salary of county officers of Hancock county be referred to the county delegation for that county ;

\*97 \*That the Committee on Legal Affairs be directed to inquire into the expediency of further legislation looking to the protection by law of dwellings from the location of extension of burying grounds, or in proximity of streets ;

That the Committee on the Judiciary consider the expediency of repealing chapter 167 of the public laws of 1877, relating to the employment of detectives by the State in criminal cases ;

That the Committee on the Judiciary be instructed to inquire into the expediency of repealing sections 2 and 3 of chapter 118 of the revised statutes defining the degrees of the crime of murder ;

That the Committee on the Judiciary be instructed to inquire into the expediency of amending chapter 134, section 14, of the revised statutes, so that counsel for the accused, in cases formerly capital, may be assigned by the court and paid by the State ;

Were read and passed in concurrence.

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Petition of Napoleon Lavassere and others, for aid to build a bridge in the Pelky settlement in Aroostook County ;

Petition of A. Wiren for deed of lot of land in New Sweden ;

Petition of M. Trafton and others, concerning lot of land in Township No. 5, Range 6, Penobscot County ;

Petition of Levi Gray for deed of lot of land in New Sweden ;

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

\*Petition of E. J. Ulmer and others, praying that the \*98 Seventh Ward in Rockland be set off and incorporated as a town ;

Petition of Edward F. Sanborn and others, praying that said Sanborn and his estate be set off from Naples and annexed to Sebago ;

Remonstrances of George H. Barstow and others ;

Remonstrances of G. M. Siders and others—severally against the petition of Winslow & Watts to be set off from Yarmouth and annexed to North Yarmouth, .

Were referred to the Committee on Towns in concurrence.

Remonstrance of William Raitt and others against granting a charter for a bridge across Salmon Falls river ;

Remonstrance of Charles G. Yeaton and others against the same ;

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

Petition of Nathaniel Hobbs and others for a change in the game laws ;

Petition of Charles Sawyer and others for change of law relating to liability of towns in case of damages sustained on public roads ;

Petition of Guy Turner and others for re-establishment of the Common Council of the City of Augusta ;

Petition of the overseers of the poor of the town of Morrill for change of the law relating to the marriage of paupers ;

A bill to amend chapter 139 of public laws of 1873, relating to enforcement of judgments when plaintiff dies ;

\*99 \*A bill to amend chapter 67 of the public laws of 1878, relating to enforcements of judgments ;

Were referred to the Committee on Legal Affairs in concurrence.

Petition of A. J. Lane, and others, for bounty on bears ;

Petition of James Averill, and others, for the same ;

Were referred to the Committee on Agriculture in concurrence.

Petition of S. B. Cummings and others, of Piscataquis county for repeal of special laws of 1876, relating to the taking of pick-ered in Northwest and Harlow ponds, with bill, was referred to the Committee on Interior Waters in concurrence.

Petition of the overseers of the poor of Aurora, for the appointment of a State Supervisor of paupers ;

Petition of E. B. Harvey and others, for amendment of charter of the city of Calais ;

A bill to amend chapter 7 of the public laws of 1875, concerning the settlement of persons connected with the National Soldiers' Home at Togus in the county of Kennebec ;

A bill to amend section 1 of chapter 124 of the revised statutes ;

Were referred to the Committee on the Judiciary in concurrence.

Petition of T. A. Snow and others, for an amendment of section 11 of chapter 75 of the laws of 1878, in relation to catching smelts ;

Petition of Daniel Kimball and others ;

\*100 \*Petition of citizens of Ellsworth ;

Petition of Francis H. Cousins and others ;

Petition of Lorenzo D. Mitchell and others ;

Petition of S. B. Pinkham and others ;

Petition of Wm. R. Field and others,—severally for legislation relating to the protection of shore fisheries ;

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A bill to regulate the building of fish weirs on Penobscot bay and river ;

A bill to amend chapter 75 of the public laws of 1878, relating to the protection of fisheries and the propagation of fish ;

Were referred to the Committee on Fisheries in concurrence.

Petition of St. Elizabeth Orphan Asylum of Portland for aid in support of the children of soldiers, was referred to the Committee on Military Affairs in concurrence.

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

A bill to amend section 2 of chapter 62 of the public laws of the year 1872, and to prevent the bribing of officers entrusted with the enforcement of the laws, was referred to the Committee on Civil Service Reform in concurrence.

A bill addition to an act in aid of free high schools, was referred to the Committee on Education in concurrence.

A bill in relation to cider, native wine, ale, porter, lager beer, and malt liquors, was referred to the Committee on Temperance in concurrence.

\*A bill to amend chapter 218 of the public laws of 1877, \*101 relating to savings banks, was referred to the Committee on Banks and Banking in concurrence.

Report of the Committee on Legal Affairs on the petition of Samuel Fenderson and others, for legislation relating to dogs, that the same be referred to the Committee on Agriculture ;

Report of the same Committee on the petition of Reuben A. Rich and others, for legislation in relation to line fences, that the petitioners have leave to withdraw ;

Report of the same committee on bill to amend chapter 93 of the laws of 1876, relating to assignment of wages, that the same ought not to pass ;

Were severally accepted in concurrence.

On motion by Mr. MAYHEW,

*Ordered*, That all matters relating to the reduction of salaries and emoluments of county officers in Kennebec county be referred to the county delegation from that county.

On motion by Mr. SMITH,

*Ordered*, That the delegation from Lincoln county take into consideration the adjustment of the salaries of the county officers of said county.

On motion by Mr. MORRISON,

*Ordered*, That all matters relating to the reduction of salaries and emoluments of county officers in Franklin county be referred to the county delegation from that county.

Sent down for concurrence.

\*102 \*On motion by Mr. THOMPSON,

*Ordered*, That when the Senate adjourns it be to meet at 4 o'clock on Monday afternoon.

Mr. PARLIN presented the remonstrance of Miles Standish and others, against a change in south line of Flagstaff plantation, which was referred to the Committee on Education.

Mr. THOMAS presented a bill to amend chapter 50, section 12, of the public laws of 1878, for the protection of game and birds, which was referred to the Committee on the Judiciary.

Also a bill to amend section 14, of chapter 75 of the public laws of 1878, to regulate and protect fisheries and the propagation of fish, which was referred to the Committee on Fisheries.

Also a bill to repeal chapter 140 of the public laws of 1876 relating to liens, which was referred to the Committee on the Judiciary.

Mr. THOMAS, from the Committee on the Judiciary, on the petition of the trustees of the Magdalene Cemetery, reported a bill to enable the Trustees of the Magdalene Cemetery Corporation to convey real estate :



The report was accepted, the bill read twice, the rules being suspended, and passed to be engrossed.

Sent down for concurrence,

Mr. HAWES from the Committee on Civil Service Reform on an order relating to a change of mileage from ten to twenty cents, reported that the law was changed by a resolve on the pay roll of the Legislature, approved February 29. 1872, and the precedent established by this \*resolve has been followed by \*103 succeeding legislatures until the present time.

The report was accepted.

Sent down for concurrence.

Mr. BARKER, from the Committee on State Lands and State Roads, on the petition of James and David Moore, reported resolve in favor of James Moore and David Moore of number eleven, Range one plantation.

The report was accepted and the resolve laid over to be printed under the Joint Rule.

On motion by Mr. ATWELL,

The report of the Committee on the Governor's message, on an order relating to a reference of its several subjects, was taken from the table and accepted.

Sent down for concurrence.

On motion by Mr. CHASE,

Resolve for the support of State paupers, was taken from the table, read twice, the rules being suspended, and passed to be engrossed in concurrence.

Mr. ROGERS of Penobscot presented the following:

*Ordered*, The House concurring, that the several Committees ordered to visit the several institutions are hereby instructed to visit such institutions by a sub-committee of five members from each Committee and no more.

Mr. ROBERTS proposed an amendment marked "A" to amend the foregoing by striking out the word "five" and insert instead \*the word "three" and pending the adoption \*104 of the amendment,

On motion by Mr. BRADFORD,  
*Ordered*, That the order lie on the table.

On motion by Mr. HARRIS,  
Adjourned.

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MONDAY, JANUARY 20, 1879.

Prayer by the Chaplain.

The Journal of Friday was read.

Orders from the House :

That the Committee on the Judiciary inquire into the expediency of changing the laws relating to liens on buildings and lots and suits thereon, as provided in sections 27, 28, 29, 30 and 31 of chapter 91 of the revised statutes ;

That the same committee inquire into the expediency of so amending section 12, chapter 134 of the revised statutes, that a prisoner under indictment for murder may preemptorily challenge ten jurors, that right being now taken away by chapter 114 of the public laws of 1876 ;

That the Committee on the Judiciary inquire into the  
\*105 expediency of changing the laws in \*regard to interest on  
indorsements ;

That the Committee on the Judiciary inquire into the justice and expediency of the present practice of double taxation of real estate subject to mortgages ;

That the Committee on the Judiciary inquire into the expediency of so changing the pauper laws that plantations shall bear their just proportion of pauper expenses ; also to provide for the relief of persons falling into distress in plantations ;

That the Committee on the Judiciary inquire into the expediency of so changing the law that grantees may appear and defend in suits against grantors, in which suits the real estate conveyed is attached ;

That the Committee on the Judiciary inquire into the expediency of so amending or changing the Constitution of the State "in the interest of retrenchment and reform," as to do away with the Council and have an auditor, said auditor to be elected in the same way, and for the same term of time as the Governor; in case of no election by the people, the House and Senate to elect, the same as the Governor is now elected;

That the Committee on Legal Affairs ascertain what further property, if any, should be exempt from attachment and execution;

That the Committee on Legal Affairs be requested to examine into the duties of the Attorney General, and see if the duties of that office cannot be as well performed by the county attorneys, and "in the interest of economy" that \*office be dispensed with, and so change the Constitution; and report by resolve;

That the Committee on Financial Affairs be requested to return to the House all the papers referred to it from the last legislature, asking for a geological survey;

That the Committee on Financial Affairs are hereby requested, as a relief for "our over-taxed people," to see if it would not be a wise policy to suspend the working or operation of the sinking fund for a term of years, and thereby 'save a direct tax upon the people of the State of about \$100,000 per year;

That the Somerset County Delegation take into consideration the reduction of salaries of county officers;

That the Kennebec County Delegation inquire into and report to the Committee on Civil Service Reform what method may be adopted to economize expenses, whether relative to salaries or other expenses in said county;

That the Waldo County Delegation inquire into and report to the Committee on Civil Service Reform, what reduction, if any, should be made in the salaries of the county officers of said county; also in relation to the repeal of the act establishing the Belfast Municipal Court, and to re-establish the Belfast Police Court, with increased jurisdiction, if advisable, and report to the same Committee;

Were read and passed in concurrence.

The Senate concurring, that the several committees heretofore authorized to visit the several institutions they have in charge, are \*hereby instructed to select a sub-committee of three, one Senator and two Representatives, from each committee, to visit said institutions, and report to the Legislature in writing what changes can and ought to be made, what offices be abolished, what salaries reduced ; whether any trustees can be dispensed with, and in what manner supplies are purchased ; whether from the lowest bidder or otherwise, and report any other facts that said visits may suggest ; and especially to report whether the appropriations asked for are needed, was read, and

On motion by Mr. VINTON,

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

That the Committee on Printing inquire how and by whom the State Printing is now being done, under what authority it is done at various offices, and how much additional expense is thus caused, and report as soon as practicable, was read and passed in concurrence.

Petition of the President, Treasurer, Secretary and Trustees of the Children's Home in Bangor, asking that one half of the expense of supporting soldier's children in said Home, be paid by the State, was referred to the Committee on Military Affairs in concurrence.

Petition of G. H. Freeman and others, for incorporation of the Presque Isle and Maysville Railroad Company ;

A bill to incorporate the Presque Isle and Maysville Railroad Company ;

Were referred to the Committee on Railroads in concurrence.

\*108 \*Petition of Benjamin Smith, for relief for damage while in State duty, was referred to the Committee on Pensions in concurrence.

Protest of Wm. H. Sawtelle and others, against the employment of convict labor, was referred to the Committee on State Prison in concurrence.

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Petition of Chas. A. Brown and others, relating to establishing an Institution for the Deaf and Dumb ;

Petition of Trustees of Maine Central Institute, for extension of time for payment of funds by the State to said Institute ;

Were referred to the Committee on Education in concurrence.

Petition of Nathaniel C. Locke and others, for bounty on foxes, hawks, and owls ;

A bill providing a bounty for the destruction of foxes, hawks and owls ;

Remonstrance of L. S. Judd and others against the reduction of toll on buckwheat ;

Were referred to the Committee on Agriculture in concurrence.

Petition of L. P. Boothby and others, to be incorporated into a Mutual Fire Insurance Company ;

A bill to prevent over insurance ;

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

Petition of A. B. Sumner and others, for repeal of section 65, chapter 18, of the revised statutes concerning roads ;

Petition of Merrick Sawyer and others, for authority to lay out and establish a \*way with suitable bridge, across tide \*109 waters at Spruce Head to South Thomaston ;

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

Petition of J. Haines and others ;

Petition of R. G. Wilson and others ;

Petition of Isaac Merriman and others ;

Petition of S. F. Morrill and others ;

Petition of W. E. Hodgkins and others,—severally for protection of shore fisheries ;

Petition of W. E. Skillings and others, for change in fish law, regulating the close time for trout ;

Petition of C. L. Young and others, for protection of fisheries in Frenchman's bay ;

Were referred to the Committee on Fisheries in concurrence.

Petition of Geo. W. Newcomb and others, relating to taxes ;

Petition of Daniel Keen and others, for amendment of chapter 123, section 8 of the revised statutes ;

A bill to authorize the taking of depositions in short hand ;

A bill to abolish imprisonment for debt ;

A bill to amend chapter 14 of the public laws of 1872, in relation to service of precepts upon deputy sheriffs ;

A bill relating to taking depositions ;

Were referred to the Committee on the Judiciary in concurrence.

Petition of Geo. W. Clark and others, for annexing Perkins plantation to Weld, and Washington plantation to Wilton ;

\*110 \*Remonstrance of Isaac M. Welch and others ;

Remonstrance of R. S. Curran and others, — severally, against the annexation of Washington plantation to Wilton ;

Were referred to the Committee on Towns in concurrence.

A bill an act to protect and secure the rights of creditors against copartnership firms and companies ;

A bill an act to incorporate the officers and members of Trinity Lodge ;

A bill to amend section 19 of chapter 81 of the revised statutes relating to civil actions ;

Were referred to the Committee on Legal Affairs in concurrence.

A bill to amend chapter 72 of the resolves of 1836, relating to the distribution of Maine Reports, was referred to the Committee on Civil Service Reform in concurrence.

Resolve, additional to a resolve, approved February 11, 1832, providing for the promulgation of the laws of the State, was referred to the Committee on Printing in concurrence.

The order providing for the appointment of a Joint Select Committee to negotiate 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. Dana of Portland, Weeks of Augusta, Young of Brunswick, Woodcock of Princeton, Cragin of Norridgewock, Reed of Boothbay, and Horne of Berwick.

Report of the Committee on Fisheries, on \*the petition of \*111 J. G. Tarbell and others, submitting a bill to amend section 2 of chapter 396, approved March 1, 1870, concerning the destruction of alewives in Denny's river, was accepted in concurrence and the bill laid over to be printed under the Joint Rule;

Report of the Committee on Interior Waters on the petition of John T. Wallace, Jr., and others, submitting a bill authorizing W. R. Sawyer to complete and extend an aqueduct in the town of Stuben;

Report of the same Committee on the petition of the directors of the Auburn Aqueduct Company, submitting a bill to amend the charter of the Auburn Aqueduct Company;

Report of the Committee on Railroads on bill additional to an act to incorporate the Rumford Falls and Buckfield Railroad Company, that the same ought to pass;

Were severally accepted in concurrence, the bills each read once, and to-morrow assigned for their second reading.

A communication was received from Hon. E. H. Gove, Secretary of State, transmitting the annual report of the Soldiers' Orphans Home at Bath, which was read and the report referred to the Committee on Military Affairs.

Sent down for concurrence.

A communication was received from Hon. E. H. Gove, Secretary of State, transmitting reports from the various cities, towns and plantations, relative to the names, number, age, sex and pecuniary condition of insane and idiotic people within their respective limits, which \*was read and referred to \*112 the Committee on Insane Hospital.

Sent down for concurrence.

Resolve in favor of James Moore and David Moore of number

eleven, range one plantation, was read once and to-morrow assigned for its second reading.

On motion by Mr. ROGERS of Sagadahoc,

*Ordered*, That the Committee on Education inquire into the expediency of amending chapter 63 of the public laws of 1878, entitled an act to amend an act relating to the Maine Industrial School for Girls by changing the word "ten" in the second line of section 1, so that it may read "seven."

On motion by Mr. VINTON,

*Ordered*, That the Cumberland county delegation inquire if any courts or terms of any courts in said county can safely be dispensed with, and if any change is required in the running of the courts in said county, and report by bill or otherwise.

Sent down for concurrence.

On motion by the same Senator,

*Ordered*, That the use of the Senate Chamber be tendered to the Maine Press Association for their annual meeting on the evening of Thursday, January 23, and on Friday afternoon, January 24, 1879.

Mr. FERGUSON presented the memorial of the State Educational Association in behalf of County Board of Examination of teachers, and on motion by the same Senator,

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

\*113 \*Mr. Patten presented the petition of James Dunning for charter for a bank, which was referred to the Committee on Banks and Banking.

Mr. CHASE presented the petition of Leonard Hilton and others, of Kingsbury, for relief from alien pauper expenses, which was referred to the Committee on Claims.

Mr. COOMBS presented the petition of the town authorities and others of Gouldsboro for re-imbursement of school money withheld in the apportionment, which was referred to the Committee on Education.



Mr. REDLON presented the petition of Stephen Taylor and others, for authority to build side dams on Swift river to protect the highway, and for aid from the State for the same ;

Mr. MORRISON presented the petition of Chas. W. Howard for extension of time to dredge bars and navigate Rangely Lake ;  
Which were referred to the Committee on Interior Waters.

Also the petition of J. B. Morrison and others for legislation authorizing women to vote in school district meetings, which was referred to the Committee on Legal Affairs ;

Also the petition of B. C. Powers and others in aid the of petition of M. W. Dutton for legislation to legalize the survey of public lots in Letter E plantation, which was referred to the Committee on State Lands and State Roads ;

Mr. PARLIN presented the petition of S. D. Arnold  
\*and others, for legislation in favor of biennial sessions. \*114

Mr. MOODY presented the petition of S. H. Gould and others, for extension of time within which liens on vessels may be enforced.

Which were referred to the Committee on the Judiciary.

Mr. HARRIS presented the petition of the town officers and others of Milbridge asking for certain volumes of Maine reports and other documents, which was referred to the Committee on Legal Affairs.

Mr. CHASE presented the petition of Charles Hoxie and others, of Orneville, for relief of pauper debt, which was referred to the Committee on Towns.

Mr. ELLIS presented a bill relating to the Penobscot tribe of Indians, which was referred to the Committee on Indian Affairs.

Severally sent down for concurrence.

On motion by Mr. ATWELL,

Adjourned.

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TUESDAY, JANUARY 21, 1879.

Prayer by the Chaplain.

The Journal of yesterday was read.

Orders from the House :

- \*115 That the Aroostook County Delegation \*be directed to enquire into and report to the Committee on Civil Service Reform, what reduction, if any, should be made in the salaries of the county officers of said county ;

That the Committee on Civil Service Reform ascertain what reductions, alterations, or changes are needed in chapter 166 of the revised statutes, entitled a regulation of fees or costs ;

That the Committee on Education be directed to inquire into the expediency of amending section 59, chapter 11, of the revised statutes by striking out after the word *day* in the 4th line of said section, the words, "and all necessary traveling expenses ;"

That the Committee on Legal Affairs be directed to inquire into the expediency of authorizing any ex-Treasurer of State to amend his record relating to any sale of lands made by him according to the fact ;

That the Committee on Legal Affairs inquire into the expediency of amending chapter 60 of the laws of 1876 so that guardians may make oath to their accounts before a justice of peace ;

That the Committee on Legal Affairs inquire into the expediency of amending section 171 of chapter 6 of the revised statutes, fixing the interest named in the 7th line of said section at a less rate than 20 per cent per annum ;

That the same Committee inquire into the expediency of repealing or amending section 148 of chapter 6 of the revised statutes relating to overlay or abatement of taxes ;

- That the Committee on Legal Affairs inquire into the  
\*116 expediency of amending section 34 of chapter \*6 of the revised statutes, by striking out from the fifth line the word "forthwith," and inserting in place thereof the words "within fifteen days ;"

That the Committee on Fisheries inquire into the expediency of so amending the law, relating to the taking of alewives and other migratory fish in the Bagaduce river, so that no person shall

take any of said fish in that part of said river, between Walker's Mill and Johnson's Narrows, in any other way than by dip nets, the meshes of which shall not be less than one inch in the clear, from the first day of April to the 15th of July, and the penalty the same as in other rivers ;

That the Committee on Indian Affairs are hereby directed to inquire what legislation is necessary or expedient to facilitate the sale of settlers lots in the Indian township of Washington county, surveyed under a resolve passed in 1863 ;

That the Committee on the Judiciary be instructed to inquire into the expediency of changing chapter 81, section 59, of the revised statutes, relating to attachment of personal property ;

That the Committee on the Judiciary inquire into the expediency of amending chapter 196 of the laws of 1877 ;

That the Committee on the Judiciary inquire into the expediency of amending chapter 44 of the public acts of 1872, so as to preclude any person from contesting the validity of any title to lands acquired by sale by the State for non-payment of taxes, until all taxes, interest and costs, shall be \*tendered \*117 to the State or party purchasing therefrom ;

That the Committee on the Judiciary be instructed to inquire into the expediency of providing by law that municipal and police judges and trial justices be required to make their warrant and return before the judge or trial justice residing nearest the respondent, thereby saving unnecessary expenses to the county and parties interested ; and also inquire into the expediency of empowering County Commissioners to go behind bills of cost, and disallow the fees of the officer who carries or causes to be carried a person by a trial justice having jurisdiction, without reasonable excuse ;

That the Committee on Temperance inquire into the expediency of repealing all laws of this State whereby the present State liquor agency was established and continued by law ;

Were read and passed in concurrence.

Petition of Mrs. Samuel Lamson, for pay for stumpage, was referred to the Committee on Claims in concurrence.

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Petition of Z. Chaffee, Trustee of the A. & W. Sprague Manufacturing Company, for relief from building a lock on the Kennebec dam, was referred to the Committee on Interior Waters in concurrence.

Petition of John A. Clark and others ;

Petition of Thompson H. Murch and others ;

Petition of E. B. Titus and others ;

Petition of Robert Speed and others ;

\*118 \*Petition of C. G. Moffitt and others ;

Petition of Z. Goddard and others ;

Petition of Melvin C. Estes and others ;

Petition of Margaret H. Bush and others ;

Petition of Geo. L. Snow and others ;

Petition of Elvira Clark and others ;

Petition of L. A. Hartshorn and others,—severally for legislation establishing equal political rights, irrespective of sex ;

A bill respecting suits for malpractice ;

Petition of P. P. Gilmore and others ;

Petition of Geo. Googins and others ;

Petition of R. P. Grindle and others ;

Petition of Wm. Boyd and others ;

Petition of Eugene F. Sanger and others ;

Petition of A. L. Dresser and others ;

Petition of J. W. Milliken and others,—severally for the passage of a bill respecting suits for malpractice ;

Petition of the Union Water Power Company for amendment of charter ;

Petition of the Bates Manufacturing Company for amendment of charter ;

Petition of I. M. Boardman and others, for amendment of the statutes relating to damages on highways ;

Petition of Edmund Goodwin and others, for repeal of the law for imprisonment for debt ;

Remonstrance of W. L. Wilson and others, against the same ;

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A bill additional relating to trustee process ;

\*119 A bill additional to chapter 92 of the \*revised statutes concerning mills and mill dams ;

Were referred to the Committee on the Judiciary in concurrence.

Petition of Edmund Goodwin and others, for reduction of salaries of the county officers of York, was referred to the Committee on Civil Service Reform in concurrence.

Petition of Passamaquoddy Indians for restoration of certain property and rights, was referred to the Committee on Indian Affairs in concurrence.

Petition of Chas. E. Nash and others, praying for a pension for Dennis N. Berry, was referred to the Committee on Pensions in concurrence.

Petition of D. A. Sewall and others, for aid in building a bridge over the Mattawamkeag river at Island Falls, was referred to the Committee on State Lands and State Roads in concurrence.

Petition of A. L. Hamblen and others, for legislation for better protection against dogs ;

Petition of Luther Perkins and others, for a bounty on crows ;

Petition of S. W. Tinkham and others, for bounty on foxes ;

Petition of A. G. Newman and others ;

Petition of Stephen Taylor and others, — severally for bounty on bears ;

Petition of John Fogler and others ;

Petition of W. H. Bartlett and others ;

Petition of A. A. Knight and others ;

Petition of R. W. Perry and others, \*respectively praying \*120 that the towns of Hope, and Lincolnville, may be set off from the North Knox Agricultural Society and annexed to the Knox Agricultural Society ;

Were referred to the Committee on Agriculture in concurrence.

Petition of Daniel C. Norton and others, for legislation authorizing District No. 9, in Kittery to elect a district treasurer ;

Petition of Charles F. Nason and others, for change of close time for killing woodcock ;

Petition of James O. Bradbury for legislation against trespass and the leaving open of gates and bars ;

Memorial of Mrs. Ellen M. Taylor of Portland, for improvement in the condition and punishment of female prisoners ;

A bill to authorize the inhabitants of school district number nine in the town of Kittery to elect a district treasurer ;

Were referred to the Committee on Legal Affairs in concurrence.

Petition of Thomas J. York and others ;

Petition of George B. Kenniston and others ;

Petition of R. Pendleton and others ;

Petition of James Philbrick and others ;

Petition of Edwin Flye and others ;

Petition of Frank R. A. Friend and others, — severally for legislation relating to the taking of porgies with sceines in the bays and harbors of the State ;

Petition of Calvin B. Turner and others for legislation relating to the close time of taking smelts ;

\*121 \*A bill to repeal an act concerning pickerel fishing in certain ponds in Fryeburg ;

Were referred to the Committee on Fisheries in concurrence.

Petition of Lewis Leadbetter and others, for a charter to build a bridge across tide waters to Burnt Island in North Haven ;

Petition of James H. Tuthill for an appropriation for Grafton highway ;

Petition of James Brown and others, for aid in building a road in Grafton, Oxford county ;

Petition of Charles Nason and others ;

Petition of Elijah Powers and others ;

Petition of Joseph Peaslee and others ;

Petition of J. C. Bullings and others ;

Petition of Alpheus Ballard and others, — severally in aid of the petition of James Brown and others ;

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

Petition of a public meeting in Lewiston

Petition of a public meeting in Fairfield

Petition of a meeting in Bangor;

Petition of a public meeting in Oldtown;

Petition of a meeting in Cape Elizabeth;

Petition of people of Deering;

Petition of a public meeting at Skowhegan;

Petition of a public meeting at Falmouth;

Petition of a meeting in Kennebec county;

Petition of a meeting in Buxton;

Petition of a meeting at Old Orchard;

Petition of a convention;

Petition of a meeting at Fryeburg;

Petition of a convention at Sebago Lake;

\*Petition of Edward Plummer and others,—severally for \*122  
legislation relating to the liquor traffic;

Were referred to the Committee on Temperance in concurrence.

Petition of Frank A. Hart and others, for incorporation of township No. 8, in the 8th range north of Waldo Patent in the county of Piscataquis, into a town to be called Howard;

Remonstrance of the selectmen of Woodstock against the petition of Caleb Fuller and others to have certain lots set off from Woodstock and annexed to Paris;

Were referred to the Committee on Towns in concurrence.

A bill relating to scire facias, was referred to the Committee on the Judiciary in concurrence.

Report of the Androscoggin County Delegation on a bill to authorize the county of Androscoggin to procure a loan for the purpose of funding the floating debt and temporary loans, was accepted in concurrence, the bill read once and to-morrow assigned for its second reading.

A communication was received from the Hon. E. H. Gove, Secretary of State, transmitting the annual report of the Attorney General for the year 1878, which was read and the report referred to the Committee on the Judiciary.

Sent down for concurrence.

On motion by Mr. PARLIN,

*Ordered*, That the Committee on the Judiciary inquire into \*123 the expediency of reducing \*the rate of interest which towns are allowed to charge on taxes overdue, and on the redemption of real estate sold for taxes.

On motion by Mr. ROGERS of Sagadahoc,

*Ordered*, That the Committee on Financial Affairs inquire into the expediency of providing by law for the transfer of the sum of money known as "mill tax," raised heretofore for school purposes into the State Treasury, to be used for purposes of paying State debts, and report by bill or otherwise.

Mr. BARKER presented the Memorial of M. S. Palmer in reference to the seal of the State, which was referred to the Committee on Education.

Mr. MAYHEW presented the petition of selectmen of Sidney and others, for authority to land merchandise at the Maine Central Depots, across the Kennebec river, without liability for damages, which was referred to the Committee on Interior Waters.

Mr. SMITH presented the petition of C. W. Taggart and others, for legislation respecting suits for malpractice, which was referred to the Committee on the Judiciary.

Mr. BARKER presented the Memorial of Albert W. Payne, relating to the insurance departments which was referred to the Committee on Mercantile Affairs and Insurance.

Mr. MAYHEW presented the petition of John Williams for authority to remove the remains in an abandoned burying-ground, which was referred to the Committee on Legal Affairs.



Mr. COOMBS presented a resolution of a \*meeting at \*124 Saco, relating to the druggist bills which was referred to the Committee on Temperance.

Mr. FERGUSON presented a bill to prohibit the taking of trout from Branch river and its tributaries in the town of Wells, in the county of York, which was referred to the Committee on Fisheries.

Mr. COBB presented a bill to abolish the board of Overseers of the Poor of the city of Lewiston, which was referred to the Committee on the Judiciary.

Mr. BRADFORD presented a bill to amend chapter 185, of the public laws of 1877, relating to Life Insurance, which was referred to the Committee on Mercantile Affairs and Insurance.

Mr. MORRISON, from the Franklin county delegation, submitted the following recommendations, relating to salaries of county officers in Franklin county :

That the salaries of the Judge of Probate and County Attorney remain as now fixed by law ;

That the pay of the County Commissioners be two dollars per day while in service and eight cents per mile actual necessary travel each way, their pay being now \$2.50 per day and ten cents per mile travel ;

That the salary of Register of Probate be reduced from \$500 to \$400 ;

And the delegation further recommend that these reductions shall not be made to apply to present incumbents serving out their \*present terms of office ;

\*125

The delegation aforesaid ask that these recommendations be referred to the Committee on Civil Service Reform.

The report was read and referred to the Committee on Civil Service Reform.

Sent down for concurrence.

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

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Bill to amend the charter of the Auburn Aqueduct Company ;

Bill additional to an act to incorporate the Rumford Falls and Buckfield Railroad ;

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

The same Committee also reported the following resolve :

Resolve in favor of James Moore and David Moore of number eleven, range one plantation ;

Which was read a second time and passed to be engrossed.

Sent down for concurrence.

The same Committee also reported the following bill :

Bill authorizing W. R. Sawyer to complete and extend an aqueduct in the town of Steuben ;

Which was read a second time, and

On motion by Mr. VINTON,

*Ordered*, That it lie on the table.

Subsequently on motion by Mr. VINTON,

The foregoing bill was taken from the table, and

\*126 \*On motion by Mr. HARRIS,

*Ordered*, That it be recommitted to the Committee on Interior Waters.

Sent down for concurrence.

On motion by Mr. BRADFORD,

The following was taken from the table :

*Ordered*, The House concurring that the several Committees ordered to visit the several institutions are hereby instructed to visit such institutions by sub-committees of five members from each Committee and no more.

And on motion by the same Senator,

*Resolved*, That it be indefinitely postponed.

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On motion by Mr. PATTEN,

The following order was taken from the table :

*Ordered*, The Senate concurring, that the several Committees heretofore authorized to visit the several institutions they have in charge, are hereby instructed to select a sub-committee of three, one Senator and two Representatives from each Committee to visit said institutions, instead of the whole Committee, and report to the Legislature in writing what changes can and ought to be made, what offices abolished, what salaries reduced, whether any of the trustees can be dispensed with, and in what manner supplies are purchased, and to report any other facts which said visits may suggest, and especially to report whether the appropriations asked for are needed.

Mr. VINTON raised the point of order :

That the action contemplated by the order is inconsistent with the action of the Senate \*already had upon the same \*127 subject matter.

THE PRESIDENT: The rule is well settled in the Legislature assemblies of this country, that a question once determined can be again entertained only by a motion to reconsider.

The question is, does this order raise a question heretofore determined or is it inconsistent with any former action of the Senate. In language it expressly refers to a thing " heretofore authorized" and in its language provides a sub-committee "instead of the whole Committee." On its face it impairs the authority conferred on the Committee constituted by the former order of the Legislature.

It is a well settled rule of Parliamentary law that a Committee may be instructed by a subsequent vote to instruct, but for the purpose of enlarging, not impairing the authority of the Committee.

The Chair is of the opinion that the point of order raised by the Senator from Cumberland is well taken.

The order was returned to the House.

On motion by Mr. THOMPSON,

Adjourned.

WEDNESDAY, JANUARY 22, 1879.

Prayer by the Chaplain.

The Journal of yesterday was read.

Orders from the House :

That the Committee on Agriculture inquire into the expediency of amending the law establishing the Agricultural College, so that students in that institution may be charged a reasonable tuition fee, in order to make the college more nearly self-supporting ;

That the Committee on Commerce inquire what, if any, legislation is required to regulate and define the rights and liabilities of owners of tow boats, and to provide that such owners shall not incur the liabilities of pilots without additional compensation therefor ;

That the Committee on Fisheries inquire into the expediency of allowing A. D. Bryant of Greenwood, Oxford county, to set aside Indian Pond, Greenwood, for cultivation of fish ;

That the Committee on Fisheries be instructed to inquire into the expediency of so amending the fishery laws as to allow fishing for trout, black bass and other fish with an artificial minnow and spoon hook ;

That the Committee on Interior Waters inquire into the expediency of reviving or re-enacting the act of 1853, relating to St. Croix river ;

\*129 \*That the Committee on the Judiciary be requested to inquire into the expediency and equity of so amending section 48 of chapter 18 of revised statutes, so that highway money, collected and paid over to town treasurers, shall be reimbursed by the said treasurers to the several highway districts where said highway tax was assessed, for the purpose of highway repairs, on demand of said surveyors in said highway districts ;

That the Committee on the Judiciary be requested to inquire into the expediency of amending the laws of 1878, in regard to tramps and vagrants ;

That the Committee on the Judiciary inquire what further legislation is necessary to punish the crimes of rape and assault with attempt to commit rape ;

That the Committee on the Judiciary inquire into the expediency of amending chapter 133 of the laws of 1876, relating to frivolous and malicious complaints in criminal cases; so that on motion of the respondent in such cases the magistrate shall render judgment whether or not the complaint is frivolous or malicious, and order the payment of costs accordingly. Also to inquire into the expediency of providing for the right of appeal in such cases;

That the Committee on the Judiciary inquire into the expediency of passing an act preventing loitering about the municipal and police courts within this State;

That the same Committee inquire into the \*expediency of \*130 establishing a "State Board of Health," with such power and authority as may seem to them wise and just;

That the Committee on the Judiciary inquire into the expediency of so amending chapter 135, section 12, of the revised statutes, that persons committed for default of fines may be imprisoned for a time, graduated according to the amount of the fine; and that when so imprisoned in jails with work shops attached, they may not be exempt from labor;

That the same Committee inquire into the expediency of applying to the supreme judicial court of this State, a rule that actions shall be tried by the court unless a jury is especially called for either by plaintiff or defendant;

That the Committee on the Judiciary be required to examine into the expediency of establishing uniform rules to establish and simplify proceedings in equity;

That the Committee on Legal Affairs ascertain what action, if any, is necessary to protect the interests of the State from liability imposed by a resolve approved February 21, 1878, chapter 78, laws of 1878;

That the Committee on Legal Affairs be instructed to inquire into the expediency of providing by law that all persons found guilty of committing the crime of burglary, robbery or any other felony, accompanied by the use or exhibition of any deadly weapon, shall be imprisoned in States Prisons \*during life, \*131 or until pardoned;

That the Committee on Legal Affairs be instructed to inquire

and report by bill, or otherwise, what legislation, if any, is necessary in order to authorize regularly ordained clergymen of the different denominations, who officiate as the pastors of religious societies, though not actually naturalized, to solemnize marriages ;

That the Committee on Legal Affairs inquire into the expediency of amending chapter 6, section 169 of the revised statutes, relating to fees of tax collectors for sales of real estate, so as to make the same clearly understood ;

That the Committee on Legal Affairs inquire into the expediency of so amending the law as to make each party in a civil suit notify the other party with twelve days notice when said party is ready for trial, and if either or both of the parties do not appear with such notice the case to be defaulted after the second term of court ;

That the Committee on Legal Affairs examine the law relating to highways to see if the law can be so changed as to oblige all tax payers, when a labor tax is assessed, to clear the roads of snow, when notified by the surveyors ;

That the Committee on Legal Affairs be required to examine into the expediency of abolishing the office of State Reporter of Decisions ;

That the same Committee be required to examine into the expediency of additional legislation to protect public meetings and assemblies \*from disturbance ;

That the same Committee be required to examine into the expediency of passing an act which shall make parties criminally liable and subject to punishment therefor, who shall use language to, of, or concerning another, which, if published or written would be criminally libellous ;

That the Committee on Temperance be requested to examine into the expediency of providing additional penalties against parties engaged in illegal transportation of intoxicating liquors ;

Were read and passed in concurrence.

That the Secretary of State be instructed to deliver to the town of Sebago twenty copies of the Maine Reports, said town having lost that number by fire, was read, and

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On motion by Mr. VINTON,

*Resolved*, That the order be indefinitely postponed.

Sent down for concurrence.

The Senate concurring, that the printing of the two Journals of the two Houses shall each be omitted the present session, was read, and

On motion by Mr. VINTON,

*Resolved*, That the order be indefinitely postponed.

Sent down for concurrence.

Petition of Luther Ayer and others, for reduction of salaries and compensation of all officers for the county of York, was referred to the Committee on Civil Service Reform in concurrence.

Memorial of the Assessors of the town of \*Fort Kent, \*133 asking reimbursement of money, was referred to the Committee on Claims in concurrence.

Petition of Moses Giddings and others, for amendment to fish law ;

Petition of Geo. A. Drew and others, to prevent fishing in tributaries to Wilson pond ;

Were referred to the Committee on Fisheries in concurrence.

Petition of Nathaniel Kimball and others, against the taking of smelts in Sandy Brook, in the city of Saco, came up referred to the Committee on Fisheries, and

On motion by Mr. ANDREWS,

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

Sent down for concurrence.

Petition of B. A. Gilbert and others, to prevent fishing in Allen's Pond in the town of Greene ;

Petition of George Hopkins and others ;

Petition of Nathaniel Perkins and others ;

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Petition of Joseph Bowker and others ;

Petition of James M. Durgin and others ;

Petition of A. Pierce and others,—severally for protection of the shore fisheries ;

Petition of J. E. Nichols and others ;

Petition of Judson Tarr and others ;

Petition of G. M. Yates and others ;

Petition of Cyrus Dossitt and others ;

Petition of Wm. Hanna and others ;

Petition of Joseph Burnes and others ;

Petition of Joseph Erskins and others ;

\*134 Petition of Arthur Sewall and others,—\*severally for repeal of so much of the law of 1878 in relation to porgy fisheries as relates to bays and harbors ;

A bill to amend section 12 of chapter 75 of the laws of 1878 ;

Were referred to the Committee on Fisheries in concurrence.

Petition of R. E. Lyon and others, for an exclusive charter to navigate the waters of Madison pond ;

Petition of Charles H. Donworth and others, to extend wharf beyond low water mark ;

Petition of M. S. Drummond and others, for act of incorporation to build dams below Katahdin pond on Pleasant river ;

Petition of T. E. Skolfield and others, for legislation authorizing the Harpswell Gun Company to maintain a dam across the outlet of Mill cove ;

Petition of A. O. Pike and others, for act of incorporation as a Water Company ; .

Petition of J. Littlefield and others, to extend wharf into tide waters ;

Were referred to the Committee on Interior Waters in concurrence.

Petition of Horace Ingraham and others, for the use of a secret ballot in all elections in the State ;

Petition of H. W. Sprague and others, for an amendment to section 18, chapter 26 of the revised statutes ;



Petition of H. A. Neely and others, for an act of incorporation for St. Luke's Cathedral;

Petition of J. B. Dingley and others, for the \*repeal of \*135 section 65 of chapter 18 of the revised statutes and all amendments thereto;

Petition of Joseph Williamson and others, for the same;

Petition of H. S. Hobbs and others;

Petition of E. R. Spear and others,—severally for repeal of the law of imprisonment for debt;

Petition of overseers of poor of Biddeford;

Petition of overseers of poor of Blaine;

Petition of overseers of poor of Bridgewater;

Petition of overseers of poor of New Limerick,—severally for a change of law relating to paupers and for their support by the State;

Remonstrance of Ambrose White and others;

Remonstrance of G. W. McAlister and others;

Remonstrance of Joseph L. Buck and others,—severally against legislation having for its object the enforcing or legalizing the mortgage to trustees of the Bucksport and Bangor Railroad;

A bill to amend the charter of the city of Calais;

A bill to amend chapter 6, section 57 of the revised statutes concerning the sale of land for taxes;

A bill to amend chapter 18 of the revised statutes;

A bill to amend chapters 82 and 83 of the revised statutes in relation to executions;

A bill providing for the taxation of mortgages upon real estate;

A bill to incorporate the Androscoggin Telegraph Company;

\*A bill to amend section 13 of chapter 18 of revised \*136 statutes;

A bill to prevent the adulteration of sugar and molasses;

A bill to enable parties to obtain judgment in certain cases when, it is doubtful;

Were referred to the Committee on the Judiciary in concurrence.

Petition of C. B. Russell and others, for repeal of section 65 chapter 18 of revised statutes, and all amendments thereto, relating to highways ;

Petition of H. C. Martin and others, for incorporation of the Harpswell Gun Point Ice Company ;

Petition of E. H. Greely and others, for authority to take land for cemetery purposes ;

Remonstrance of J. W. Bradbury and others ;

Remonstrance of Vassal D. Pinkham and others ;

Remonstrance of E. F. Pillsbury and others ;

Remonstrance of W. H. Turner and others,—severally against the repeal of the act of 1878 abolishing the Common Council of the City of Augusta ;

A bill to amend section 4 chapter 132 revised statutes, relating to jurisdiction of magistrates ;

A bill additional relating to practice in court ;

A bill to amend section 41 chapter 4 revised statutes, relating to voting places on the islands in Portland harbor ;

A bill to amend the laws, giving liens on property and enforcing the same ;

\*137 \*Were referred to the Committee on Legal Affairs in concurrence.

A bill relating to Life Insurance ;

A bill additional to the charter of the Union Mutual Life Insurance Company ;

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

Petition of Frank Albert for remuneration for injuries received while in the line of duty, firing a salute, was referred to the Committee on Military Affairs in concurrence.

A bill additional to chapter 51 of the revised statutes relating to votes of stockholders ;

A bill to extend the time for locating and completing the Northern Aroostook Railroad ;

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A bill concerning Portsmouth, Great Falls and Conway Railroad ;

Were referred to the Committee on Railroads in concurrence.

Petition of Augustus B. Farnham and others, for reimbursment of money by the State, was referred to the Committee on State Lands and State Roads in concurrence.

Petition of Frank J. Austin and others, for annexation of Perkins plantation to the town of Weld ; also Washington plantation to the town of Wilton ;

Petition of Nathaniel Dinsmore and others, in aid of petition of inhabitants of Washington plantation ;

Were referred to the Committee on Towns in concurrence.

Remonstrance of Edgar Walker and others ;

Remonstrance of Robert Long and others ;

\*Remonstrance of Washington Robbins and others,—severally, against the petition of Merrick Sawyer and others, to bridge tide waters in South Thomaston ; \*138

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

Report of the Committee on Legal Affairs, on an order relating to amending section 24 of chapter 24 of the revised statutes in regard to pauper notices, that legislation thereon is inexpedient, was accepted in concurrence.

Report of the Committee on Change of Names, on the petition of Georgia A. Frye, submitting a bill to change the name of Georgia A. Frye, was accepted in concurrence, the bill read once and to-morrow assigned for its second reading.

A communication was received from the Hon. E. H. Gove, Secretary of State, informing the Legislature of the acceptance by General Joshua L. Chamberlain of the office of Major General of Militia, which was read and sent down.

A communication was received from the Secretary of State, transmitting the annual report of Railroad Commissioners for the

year 1878, which was read and the report referred to the Committee on Railroads.

A communication was received from the Secretary of State, transmitting the annual report of the Inspectors and Warden of the State Prison, which was read and the report referred to the Committee on State Prison.

Sent down for concurrence.

\*139 \*A bill to amend section second of chapter 396, approved March 1, 1870, concerning the destruction of alewives in Dennys river ; was read once and to-morrow assigned for its second reading.

On motion by Mr. CHASE,

*Ordered*, That the Piscataquis County Delegation be authorized to report to the Committee on Civil Service Reform what salaries, if any, in their county shall be reduced.

Mr. MORRISON presented the petition of the County Commissioners of Franklin county for an appropriation in aid of repairing the county road in Washington and Perkins plantation, which was referred to the Committee on Ways and Bridges.

Mr. REDLON presented the petition of John P. Swasey and others for legislation to legalize the doings of the town of Canton, which was referred to the Committee on Legal Affairs.

Mr. DURAN presented the petition of Thomas E. Edes and others, for repeal of section 65 chapter 18 of the revised statutes.

Mr. THOMAS presented a bill to incorporate the First Baptist society in Freeport. The petition and bill were referred to the Committee on the Judiciary.

Severally sent down for concurrence.

Mr. VINTON, from the Committee on the Judiciary, on a bill to incorporate the Casco Bay Steamboat Company, reported that the same ought not to pass, the matter being provided for by general statutes.

Mr. MAYHEW, from the Committee on Towns,\*on the \*140 petition of Charles Hoxie and others of Orneville, for relief from pauper debt, reported that the same be referred to the Committee on Legal Affairs.

The same Senator from the same Committee, on the petition of Jonathan Bartlett and others for legislation relating to the set off of a part of Montville to Liberty in 1876, reported that the same be referred to the Committee on Legal Affairs.

These reports were accepted.

Sent down for concurrence.

Mr. FERGUSON, from the Committee on Education, on a bill in relation to school funds in the town of Shapleigh in the county of York, reported that the same ought to pass.

Mr. VINTON, from the Committee on the Judiciary, on the petition of J. N. Libby and others, reported a bill to authorize the Protestant Methodist church of North Gorham to sell and convey all its real estate.

Mr. COBB from the Committee on Manufactures, on a bill to authorize the Cobb Lime Company to engage in the manufacture of cement, reported that the same ought to pass.

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

Mr. VINTON, from the Committee on the Judiciary, on a bill to amend chapter 14 of the public laws of 1872, in relation, service of precepts upon deputy sheriffs, reported that the same ought to pass.

The report was accepted and the bill \*laid over to be \*141 printed under the Joint Rule.

Mr. MOODY, from the Committee on Civil Service Reform, on an order, reported a bill fixing the salaries of certain public officers and compensation of certain members of the government,

And pending the acceptance of the report,

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On motion by Mr. MOODY,

*Ordered*, That it lie on the table and be printed with the accompanying bill, and that to-morrow at 10 o'clock be assigned for its consideration.

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

Bill to authorize the county of Androscoggin to procure a loan for the purpose of funding its floating debt and temporary loans ; which was 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 and resolves :

An act to enable the trustees of the Magdalene Cemetery Association to convey real estate ;

Resolve in favor of the Committee to inform the Governor of his election ;

Resolve for the support of State paupers.

The bill 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.

\*142 \*On motion by Mr. COOMBS,

Adjourned.

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THURSDAY, JANUARY 23, 1879.

Prayer by Rev. Mr. WHITNEY of Augusta.

Orders from the House :

That all papers relating to a geological survey be taken from the table, and referred to the Committee on Agriculture ;

That the Committee on Education be instructed to inquire into the expediency of repealing chapter 142 of the laws of 1876 ;

That the Committee on Fisheries inquire into the expediency of further legislation with regard to fees and compensation of fish wardens ;

That the Committee on the Judiciary inquire into the expediency of so amending the law that railroad corporations be liable for burial expenses of persons killed on railroads whose residences cannot be ascertained ;

That the Committee on Legal Affairs be instructed to inquire into the expediency of amending section 17, chapter 64 of the revised statutes, relating to the appointment of administrators ;

The Senate concurring, that the Secretary \*of State is hereby \*143 instructed to make a schedule of all public property in his office, or under his charge, and report the same to this legislature, and hereafter no supplies shall be delivered to any department or any employee thereof, without a written requisition from the head of said department ;

Were read and passed in concurrence.

Petition of Horace Bodwell and others, for reduction of salaries of York county officers ; also State officers, was referred to the Committee on Civil Service Reform in concurrence.

Petition of Ira F. Cooper, to have lot set off from Township No. 7, Range 5, and annexed to Township No. 6, Range 5, for school purposes, was referred to the Committee on Education in concurrence.

Petition of Richard Perkins and others ;

Petition of Fountain Rodick and others,—severally for protection of fisheries in Frenchman's bay ;

Petition of John A. French and others, for a change in the close time for brook trout ;

Petition of George F. Morse and others, for repeal of section 1, chapter 66 of the law of 1878, relating to taking menhaden with seines in the bays and harbors of this State ;

Petition of M. B. Hammond and others, praying for legislation to prevent the taking of pickerel in Lovejoy's pond in Albion.

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A bill to amend chapter 75 of the public laws of 1878, relating to fisheries and the propagation of fish ;

\*144 Were referred to the Committee on Fisheries \*in concurrence.

Petition of Chas. E. Nash and others, for repeal of law making towns responsible for damage on highway ;

Petition of the citizens of Calais for amendment of city charter ;

Petition of A. C. Hamlin and others, for amendment of law relating to damages on highways ;

Petition of Isaac Parker and others, for the repeal of section 65 chapter 18 of revised statutes, and all amendments thereto, relating to damages on highways ;

A bill to amend section 65, chapter 18 of the revised statutes relating to damages on ways, as amended by chapter 215 of the public laws of 1874, chapter 97 of the public laws of 1876, and chapter 206 of the public laws of 1877 ;

A bill to incorporate the trustees of Oak Grove Seminary ;

Were referred to the Committee on the Judiciary in concurrence.

Petition of Samuel D. Grendell and others, of Chapman plantation, for legislation to legalize the doings of said plantation, with bill accompanying, was referred to the Committee on Legal Affairs in concurrence ;

Petition of W. W. Walker for redress of grievance ;

Petition of Wm. Poor for State pension ;

Were referred to the Committee on Pensions in concurrence.

Remonstrance of James Hobbs and others, against granting the petition of the Boston & Maine Railroad Company, now  
\*145 pending, was \*referred to the Committee on Railroads in concurrence.

Petition of Geo. A. Sponberg for lot of land in New Sweden ;

Resolve confirming the location of lots reserved for public uses in the town of Blaine ;

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



Petition of Jesse Barker and others, for an appropriation to aid in building road in the towns of Kingsbury and Abbot, was referred to the Committee on Ways and Bridges in concurrence.

Report of the Committee on Education on bill, an act additional to an act in aid of Free High Schools, that the same ought not to pass ;

Report of the same Committee, on an order relating to amending chapter 11 of the revised statutes, by striking out section 3 relating to the abolition of school districts, that legislation thereon is inexpedient ;

Report of the same Committee on an order relating to the change of section 59 chapter 11 of the revised statutes, that legislation thereon is inexpedient ;

Report of the Committee on Towns on the petition of Charles Watts and seven others, praying that said Charles Watts, lot of land be set off from North Yarmouth and the same annexed to the town of Yarmouth, that the petitioners have leave to withdraw ;

\*Report of the Committee on Fisheries on the petition of \*146 E. T. Burgis and others, relating to close time for taking fish in Pushaw pond, that the petitioners have leave to withdraw ;

Were severally accepted in concurrence.

Report of the Committee on State Lands and State Roads, on an order relating to expediency of granting Roxana Brown a deed of lot of land, with resolve in favor of Roxana Brown, of Merrill plantation ;

Report of the same Committees, on an order relating to conveying lot 28, in township 18, range 7, to Samuel Stevens, with resolve in favor of Samuel Stevens of Fort Kent ;

Report of the same Committee, on a resolve amendatory of chapter 72 of the resolves of 1878, entitled resolve granting two lots of land to William Brown of Eagle Lake plantation, under certain conditions, that the same ought to pass ;

Report of the same Committee, on the petition of C. B. Lovejoy, praying that settling duties may be waived on lot 131 in Perham plantation, with resolve in favor of Charles B. Lovejoy ;

Report of the same Committee, on the petition of inhabitants of Cyr plantation, praying that settling duties may be waived on certain lots of land in said plantation, with resolve in favor of settlers in Cyr plantation, Aroostook county ;

Were severally accepted in concurrence, the resolves each  
\*147 read once and to-morrow \*assigned for their second reading.

Report of the Committee on the Judiciary, on bill relating to Scire Facias, that the same ought to pass, was accepted in concurrence, and the bill laid over to be printed under the Joint Rule.

Report of the Committee on Fisheries, on bill to prevent the taking of fish in Sibley's pond in the towns of Canaan and Pittsfield, that the same ought to pass.

Report of the same Committee, on the petition of David Golder and others, praying that the taking of trout be prohibited in the waters tributary to Great and Long ponds in Belgrade and Rome, Kennebec county, submitting a bill to prevent fishing in the waters tributary to Great and Long ponds in the towns of Belgrade and Rome ;

Report of the Committee on Fisheries, on the petition of George Mitchell, praying that the taking of fish be prohibited in Cambridge pond for a term of years, with bill to prevent the taking of fish in Cambridge pond in the town of Cambridge ;

Were accepted in concurrence, the bills each read once and to-morrow assigned for their second reading.

Report of the Committee on Towns, on the petition of Geo. Winslow, praying that his homestead be set off from North Yarmouth and annex the same to the town of Yarmouth that the petitioners have leave to withdraw, was accepted in concurrence.

\*148 \*On motion by Mr. THOMAS,

*Ordered*, That the Committee on State Lands and State Roads inquire into the expediency of providing that the State

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convey by deed to each actual settler on the public lands all lots of land now held by such settlers under certificates waiving all further settling duties.

Mr. CHASE presented the petition of John E. Roberts and others, for repeal of chapter 27 public laws of 1878, relating to lime rock and slate ;

Also the petition of inhabitants of Brownville for the same, which were referred to the Committee on Legal Affairs.

Sent down for concurrence.

Mr. ATWELL, from the Committee on Pensions, on the petition of Benjamin Smith, for relief for damage while in service, reported that the petitioner have leave to withdraw.

The report was accepted.

Sent down for concurrence.

Mr. COBB from the Committee on Railroads, on an order relating to the taxation of railroad companies, reported a bill to exempt the Lewiston and Auburn Railroad from taxation.

Mr. ROBERTS, from the Committee on Claims, on the petition of James Cousins, Jr., reported resolve in favor of James Cousins, Jr.

These reports were accepted and the bill and resolve each laid over to be printed \*under the Joint Rule. \*149

On motion by Mr. FERGUSON the memorial of the State Educational Association in behalf of county boards of examination of teachers, was taken from the table and

*Ordered*, That it be referred to the Committee on Education.

Sent down for concurrence.

The Committee on Bills in the Second Reading, reported the following bills :

An act to change the name of Georgie A. Frye ;

An act to amend section 2, of chapter 396, approved March 1, 1870, concerning the destruction of alewives in Dennys river, which were each read a second time and passed to be engrossed in concurrence.

The same Committee also reported the following bills :

An act in relation to school funds in the town of Shapleigh, in the county of York ;

An act to authorize the Cobb Lime Company to engage in the manufacture of cement ;

An act to authorize the Protestant Methodist Church of North Gorham to sell and convey all its real estate ;

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

Sent down for concurrence.

The President announced the following appointments upon committees :

Mr. PRINCE of Androscoggin on the Committee on State Lands and State Roads ;

\*150 \*Mr. REDLON of Oxford, on the Committee on Agriculture, respectively, to fill the vacancies occasioned by the absence of Mr. GRINDLE of Hancock ;

Mr. VINTON of Cumberland on the Joint Select Committee on Insolvency, in place of Mr. MADIGAN of Aroostook, excused ;

On motion by Mr. HARRIS,

Adjourned.

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FRIDAY, JANUARY 24, 1879.

Prayer by the Chaplain.

The President announced the absence of the Secretary.

Charles W. Tilden, Esq., Assistant Secretary, assumed the duties of Secretary pro tempore.

Journal of yesterday was read.

Orders from the House :

That the Knox County Delegation be instructed to inquire into the expediency of reducing the salaries of the county officers, and report to the Committee on Civil Service ;

That the Committee on Legal Affairs inquire into the expediency of reporting an act \*for the better protection of \*151 parties selling machinery to be attached to real estate ;

That the Committee on Legal Affairs be instructed to inquire into the expediency of providing by law that municipal officers of cities, towns and plantations shall, before placing upon the voting list the name of any person who has become a resident therein within the year preceding, require such person to file with the clerk a sworn statement, giving the name of the town from which he removed, the time when, and whether such residence is intended to be permanent or temporary, and that in any suit concerning the pauper settlement of such person, such affidavit, duly certified by the clerk, shall be conclusive proof in any court in this State of the facts therein contained ;

Were read and passed in concurrence.

Remonstrance of Sullivan Green and others, against any change in the law relating to lobster fishing ;

A bill relating to White Perch in Dobsis stream ;

Were referred to the Committee on Fisheries in concurrence.

Petition of Charles W. Johnson and others, for enactment of a law, respecting suits for mal-practice ;

Petition of John Ward and others, for repeal of section 65 chapter 18 of the revised statutes relating to highways ;

Were referred to the Committee on the Judiciary in concurrence.

\*A bill to amend section 18 of chapter 48 of the revised \*152 statutes ;

A bill to amend section 2 of chapter 61 of the public laws of 1872 ;

A bill to amend section 17 of chapter 116 of the revised statutes ;

A bill to amend section 7 of chapter 133 of the public laws of 1873 ;

Were referred to the Committee on Legal Affairs in concurrence.

Resolve in favor of William Lovely of Mapleton plantation, was referred to the Committee on State Lands and State Roads in concurrence.

Remonstrance of Roswell Ward and others, against the Drug-gill bill, was referred to the Committee on Temperance in concurrence.

Remonstrance of J. L. Hathaway and others, against the incorporation of township No. 8, range 8, north of Waldo Patent, in the county of Piscataquis, was referred to the Committee on Towns in concurrence.

A bill relating to Bondholders of Portland and Rochester Railroad, was referred to the Committee on Railroads in concurrence.

Report of the Committee on Pensions, on the petition of Charles E. Nash and others, praying that a pension be granted Dennis Berry, that the petitioners have leave to withdraw ;

Report of the Committee on Legal Affairs, on the petition of John Burnham and others, praying for legislation to reorganize the \*Sherman Soldiers' Monument Association, that the petitioners have leave to withdraw ;

Were severally accepted in concurrence.

Mr. MAYHEW presented the petition of A. P. Cram and others, in aid of John Williams, petition for permission to remove remains from an abandoned cemetery, which was referred to the Committee on Legal Affairs.

Sent down for concurrence.

Mr. COOMBS presented the remonstrance of Marion Peaslee and others, against the repeal of chapter 422 of the laws of 1874, relating to eels, which was referred to the Committee on Fisheries.

Sent down for concurrence.

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Mr. ELLIS presented a bill relating to tramps, which was referred to the Committee on the Judiciary.

Sent down for concurrence.

Mr. HARRIS, from the Committee on Interior Waters, on petition of C. H. Gilbert of Canton, reported bill to authorize the erection of dams and booms in the Androscoggin river at Canton;

Mr. THOMAS, from the Committee on State Lands and State Roads, on orders relating to the State conveying land to settlers, reported resolve to facilitate the settlement of the public lands and closing the Land Office.

These reports were severally accepted, and the bill and resolve each laid over to be printed under the Joint Rule.

Mr. VINTON, from the Committee on the Judiciary, on petition of Union Water Power \*Company to take capital \*154 stock of the Richardson Lake Dam Company, and of the Bates Manufacturing Company and other corporations of Lewiston, that they may take stock in the Union Water Power Company, reported resolve relating to the Union Water Power Company;

Mr. THOMAS from the same Committee, on bill to incorporate the Circuit Court Law Library Association, reported that the same ought to pass.

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

Mr. BARKER, from the Committee on State Lands and State Roads, on an order relating to stumpage of timber cut by trespass on lot No. 114, Township F, Range 1, Aroostook county, reported resolve in favor of Frederick Thurlough; the report was accepted, and the resolve laid over to be printed under the Joint Rules.

Mr. HARRIS from the Committee on Interior Waters, on petition of B. Cummings and others, reported bill for repeal of chapter 209 of private and special laws of 1876, and that the same ought to pass.

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

Mr. VINTON from the Committee on the Judiciary, on petition of the trustees of Bangor and Bucksport Railroad Company to ratify and confirm the mortgage of said \*railroad, reported, that the same be referred to the next Legislature.

The same Senator from the same Committee on an order, relating to interest on indorsements, reported that legislation thereon is inexpedient.

The same Senator, from the same Committee, on an order relating to protection of life policy holders against the rebate system, reported legislation inexpedient.

Mr. ATWELL, from the Committee on Interior Waters, on bill to incorporate the Androscoggin River Navigation Company, reported that the same ought not to pass.

These reports were severally accepted.

Sent down for concurrence.

On motion by Mr. PARLIN,

*Ordered*, That the Committee on Banks and Banking be requested to inquire into the expediency of repealing so much of the Banking Law as authorizes banks to issue bills or notes for circulation.

Sent down for concurrence.

Mr. ROGERS of Sagadahoc, from the Committee on Financial Affairs, to whom was referred the accounts of the State Treasurer for the year 1878, submitted the following report:

The Committee on Financial Affairs, to whom was referred the account of the Treasurer for the year ending December 31, 1878, have had the same under consideration, and ask leave to report.

That we have examined the books in the Treasurer's office and find the various accounts \*are correctly cast, properly vouched, and agreeing with report presented to the Legis-



lature. The amount of cash on hand December 31st, was \$157,256.20, of which \$151,076.65 was on deposit in banks of this State and the Suffolk National Bank of Boston, as appeared by vouchers from the several cashiers. Cash on hand in the office, \$6,179.55. The bonds and coupons paid during the 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 1878, \$25,000.00. Coupons paid during the year 1878, \$245,184.00. Coupon bonds exchanged for registered bonds during the year 1878, \$447,000.00. Registered bonds surrendered and new bonds issued to other parties, \$12,000.00. The whole amount of interest paid during the year, was as follows:

In Coupons .....	\$245,184 00
On Registered Bonds.....	106,860 00

Total,	\$352,044 00
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All of which is respectfully submitted.

WM. ROGERS,	} Chairmen.
G. L. BOYNTON,	

The report was accepted.

Sent down for concurrence.

On motion by Mr. PATTEN,

*Ordered*, That the Secretary to whom was intrusted the preparing, and publishing the Journal of the proceedings of the present session of the Senate, be requested to prepare \*and publish one hundred and fifty copies of the unbound \*157 and no more, which was read and passed.

On motion by Mr. HAWES,

*Ordered*, That when the Senate adjourn it be to Monday January 27th, at 4.15 P. M.

On motion by Mr. ROGERS of Penobscot,

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

Mr. SMITH, from the Lincoln county delegation, submitted the following recommendations, relating to salaries of county officers in Lincoln county:

That the salary of the Judge of Probate be fixed at \$300 per year ;

That the salary of the County Attorney be fixed at \$250 per year ;

That the salary of Register of Probate be fixed at \$500 per year ;

That the pay of County Commissioners be two dollars per day while in service and eight cents per mile actual necessary travel each way ;

The delegation aforesaid ask that these recommendations be referred to the Committee on Civil Service Reform.

The report was read and referred to the Committee on Civil Service Reform.

Sent down for concurrence.

The petition of Nathan Kimball and others, praying for law preventing the taking of smelts in Sandy brook, Saco, which was referred by the Senate to the Committee on Education, came back from the House, non-concurred, and referred to the Committee on Military \*Affairs, and the Senate receded and concurred in referring to the Committee on Military Affairs.

The Committee on Bills in the Second Reading, reported the following bills and resolves :

An act to prevent the taking of fish in Cambridge pond in the town of Cambridge ;

An act to prevent fishing in the waters tributary to Great and Long ponds in the towns of Belgrade and Rome ;

An act to prevent taking of fish in Sibley's pond in Canaan and Pittsfield ;

Resolve amendatory of chapter 72 of the resolves of 1878, entitled resolve granting two lots of land to William Brown of Eagle Lake plantation under certain conditions ;

Resolve in favor of Samuel Stevens of Fort Kent ;

Resolve in favor of Roxana Brown of Merrill plantation ;

Resolve in favor of Charles B. Lovejoy of Perham plantation ;

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

Resolve in favor of settlers in Cyr plantation, Aroostook county was read a second time, and, on motion by Mr. BARKER of Penobscot, laid on the table.

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

An act to amend the charter of the Auburn \*Aqueduct \*159 Company ;

An act additional to an act to incorporate the Rumford Falls and Buckfield Railroad ;

Which 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. ELLIS,

The report of the Committee on Civil Service Reform, submitting a bill fixing the salaries of certain public officers and compensation of certain members of the government, was taken from the table and

*Ordered*, That the report be re-committed.

Sent down for concurrence.

On motion by Mr. ELLIS,

*Ordered*, That when the Senate adjourns, it be to meet on Monday next at 4 :15 o'clock P. M.

On motion by the same Senator,

Adjourned.

(Signed)

CHAS. W. TILDEN, *Secretary pro tem.*

A true record from the minutes of Chas. W. Tilden, Assistant Secretary and Secretary pro tempore.

Attest :

SAMUEL W. LANE, *Secretary.*

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\*MONDAY, JANUARY 27, 1879.

Prayer by the Chaplain.

The Secretary resumed his duties.

The Journal of Friday was read.

Orders from the House :

That the Washington County Delegation inquire into the expediency of reducing the pay of the officers of said county, and report their conclusions to the Committee on Civil Service Reform, was read and passed in concurrence.

A bill to amend chapter 85 of the special laws of 1878, to provide schools for the training of teachers in Madawaska Territory, was referred to the Committee on Education in concurrence.

Petition of Stephen B. Webb and others, praying that the law relating to lobster fishing remain as it now stands on the statute books ;

Petition of B. F. Hinckley and others, for the protection of the shore fisheries ;

Remonstrance of J. W. Anthony and others, against the repeal of the law regulating the fishing for lobsters ;

Were referred to the Committee on Fisheries in concurrence.

\*161 Remonstrance of Moses T. Cross and others, against \*the petition of the Androscoggin Water Power Company, was referred to the Committee on Interior Waters in concurrence.

Petition of J. T. Grant and others, for repeal of section 65 of chapter 18 of the revised statutes and all amendments thereto relating to highways ;

Petition of citizens in Auburn ;

Petition of citizens in Union ;

Petition of citizens in Rockland ;

Petition of citizens in Minot ;

Petition of citizens in Mechanic Falls ;

Petition of citizens in Winterport ;

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Petition of citizens in Rockport ;

Petition of citizens in Lewiston ;

Petition of citizens in Stockton,—severally in relation to suits of malpractice ;

Were referred to the Committee on the Judiciary in concurrence.

A bill to amend sections 18 and 19 of chapter 48 of the revised statutes, relating to corporations under the general law, was referred to the Committee on Legal Affairs in concurrence.

A bill to establish the salary of Insurance Commissioners, was referred to the Committee on Mercantile Affairs and Insurance in concurrence.

A resolve in favor of Zebulon Michaud ;

A resolve in favor of Mrs. Ellebert Michaud ;

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

Remonstrance of Edwin S. Webster and others, against the annexation of Perkins \*plantation to the town of Weld, \*162 was referred to the Committee on Towns in concurrence.

Remonstrance of James Andrews and others, against the passage of the druggist bill, was referred to the Committee on Temperance in concurrence.

Petition of Charles W. Stimpson, Jr., for the right to extend wharf into tide waters in the town of Cushing ;

A bill to amend section 39, chapter 18 of the revised statutes, relating to ways ;

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

Report of the Knox County Delegation, relating to reduction of salaries of county officers of said county, that the same be referred to the Committee on Civil Service Reform.

Report of the Committee on Education, on petition of Ira F. Cooper to have lot set off from township No. 7, range 5, and

annexed to township No. 6, range 5, for school purposes, that the same be referred to the Committee on Towns ;

Were accepted in concurrence.

Report of the Committee on the Judiciary, on petition of Winslow Bates and others, for establishment of municipal court at Eastport, submitting bill an act to establish a municipal court in the town of Eastport, Washington county, came up recommended, and was recommitted in concurrence.

Recommendations of the Somerset county delegation, relating to reduction of salaries of county officers of said county, \*163 were referred to \*the Committee on Civil Service Reform in concurrence.

Report of the Committee on Legal Affairs, on bill to amend chapter 132 of the revised statutes, relating to criminal jurisdiction of Magistrates, that the same ought not to pass ;

Report of the same Committee, on bill regulating costs before trial justices, police and municipal courts, that the same ought not to pass ;

Report of the same Committee, on petition of overseers of the poor of the town of Morrill, for change of law relating to marriage of paupers, that the petitioners have leave to withdraw ;

Report of the same Committee, on petition of Guy Turner and others, praying that the Common Council of the city of Augusta be re-established, that the same be referred to the next Legislature with an order of notice ;

Report of the same Committee, on bill to amend chapter 82 of the public laws of 1872, relating to punishment for assault and battery, that the same ought not to pass ;

Report of the same Committee, on bill to incorporate the trustees of the Asylum of our Lady of Lourdes, that the same ought not to pass.

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Report of the same Committee, on bill to incorporate Trinity Lodge, of Free and Accepted Masons, that the same ought not to pass ;

Report of the same Committee, on an order, to inquire into the expediency of amending section 4 of chapter 135 of the revised statutes, relating to persons convicted of aggravated \*assault and battery, that legislation thereon is inexpedient ; \*164

Report of the Committee on the Judiciary, on petition of H. W. Sprague and others, for amendment of section 18, chapter 26 of the revised statutes, relating to prevention of fires, that the petitioners have leave to withdraw ;

Report of the same Committee, on petition of Joseph E. Deering and others, for amendment to charter of the city of Saco, referred from the last Legislature, that the petitioners have leave to withdraw ;

Report of the same Committee, on an order, relating to a change of section 59, chapter 81 of the revised statutes relating to attachment of personal property, that legislation thereon is inexpedient ;

Report of the same Committee, on bill in relation to testimony, that the same ought not to pass ;

Report of the same Committee, on bill additional to chapter 64 relating to executors and administrators, that the same ought not to pass ;

Report of the same Committee, on petition of Daniel Keen and others, that porgie factories, their property, &c., be excepted from the provisions of section 8, chapter 123 of the revised statutes, that the petitioners have leave to withdraw ;

Report of the Committee on Banks and Banking, on bill to amend chapter 218 of the public laws of 1877, relating to Savings banks, that legislation thereon is inexpedient ;

\*Report of the Committee on Mercantile Affairs and \*165 Insurance, on an order relating to abolishing the office of

Insurance Commissioner, and transferring the duties of said office to the Secretary of State, that legislation thereon is inexpedient ;

Report of the Committee on Printing and Binding, on resolve providing for the promulgation of the laws of the State, that the same ought not to pass ;

Were severally accepted in concurrence.

Report of the Committee on Commerce, on petition of Joseph Nickerson and others, to erect a dam and for other privileges, submitting a bill to incorporate the Maine Ice Company, was accepted in concurrence, the bill read once, and

On motion by Mr. VINTON,

*Ordered*, That it lie on the table.

Report of the Committee on Change of Names, on the petition of Etta S. Fillmore, to take and be known by the name of Etta S. Winslow, submitting a bill to change the name of Etta S. Fillmore to Etta S. Winslow ;

Report of the Committee on Fisheries, on petition of A. W. Clark and others, for a law to prevent the destruction of smelts in the Medomak river, submitting a bill to prevent the destruction of smelts in Medomak river and its tributaries ;

Report of the same Committee, on a bill relating to taking of pickerel in certain ponds in Fryeburg, that the same ought to pass ;

\*166 \*Report of the Committee on Legal Affairs, on petition of

J. D. Briggs and others, to legalize the doings of the Assessors of Merrill plantation in Aroostook county, submitting a bill to make valid the doings of Merrill plantation, Aroostook county ;

Report of the same Committee, on petition of George A. Hopkins and others, to legalize the doings of the town of Millbridge in building a school house, submitting a bill to make valid the doings of the town of Millbridge in relation to the building of a school house in Pearl District, in said town ;

Report of the same Committee, on petition of Gilman R. Smith and others, to legalize the doings of the town of Northfield, submitting a bill to make valid the doings of the town of Northfield in Washington county ;



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Report of the same Committee, on petition of Luther B. Jennings and another, to legalize the doings of Wade plantation, submitting a bill to legalize the proceedings by which Wade plantation was organized ;

Were severally accepted in concurrence, the bills each read once, and to-morrow assigned for their second reading.

The following printed bills and resolves :

An act to amend chapter 14 of the public laws of 1872 in relation to service of precepts upon deputy sheriffs ;

An act relating to scire facias ;

An act to exempt the Lewiston and Auburn railroad from taxation ;

An act to authorize the erection of dams \*and booms in \*167 the Androscoggin river at Canton ;

Resolve in favor of James Cousins, Jr. ;

Resolve to facilitate the settlement of the public lands, and closing the land office ;

Resolve in favor of Frederick Thurlough ;

Were each read once and to-morrow assigned for their second reading.

The Committee on Bills in the Second Reading, reported the following bills :

An act for repeal of chapter 209 of the private and special laws of 1876 ;

An act to incorporate the Circuit Court Law Library Association ;

An act relating to the Union Water Power Company ;

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

Sent down for concurrence.

Mr. VINTON, from the Committee on Education, on bill to repeal chapter 232 of the public laws of 1874, entitled an act additional to chapter 6 of the revised statutes relating to taxes, reported that the same ought to pass.

Mr. THOMPSON, from the Committee on Education, on the petition of H. D. Coombs and others, reported resolve in favor of the town of Gouldsboro.

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

Mr. VINTON, from the Committee on the Judiciary, on \*168 bill to amend chapter 6 section \*57 of the revised statutes, concerning the sale of lands for taxes, reported that the same ought not to pass.

The same Senator, from the same Committee on an order relating to requiring magistrates to make their warrants returnable before the nearest magistrate, reported that legislation thereon be inexpedient.

These reports were accepted.

Sent down for concurrence.

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

An act to authorize the county of Androscoggin to procure a loan for the purpose of funding its floating debt and temporary loans;

An act to change the name of Georgia A. Frye;

Which 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. THOMPSON,

Adjourned.

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\*TUESDAY, JANUARY 28, 1879. \*169

Prayer by Rev. Mr. Allen, Chaplain of the House.

The Journal of yesterday was read.

Orders from the House :

That the Committee on Education examine into the expediency of amending section 87, of chapter 114 of the public acts of 1873, so that pupils attending the normal schools of this State may be required to pay a tuition ; also into the expediency of repealing sections 1 and 2 of chapter 6 of the public laws of 1878 ; was read and passed in concurrence.

Resolve for a Committee of Inquiry concerning proposed changes in the course of instruction in the State College of Agriculture and the Mechanic Arts, was referred to the Committee on Agriculture in concurrence.

Petition of Wm. Lawton and others, for legislation relative to the lobster fisheries ;

Petition of J. T. Harford and others, for legislation relating to the shore fisheries ;

Bill for the better protection of lobsters in the waters of Maine ;

Were referred to the Committee on Fisheries in concurrence.

Remonstrance of D. B. Strout and others ;

Remonstrance of Wm. L. Allen and others,—\*severally \*170 against the passage of the druggist bill, so called ;

Were referred to the Committee on Temperance in concurrence.

A communication from the Secretary of State transmitting a communication of M. C. Fernald relative to the amount of money expended for the Maine State Agricultural College, was referred to the Committee on Agriculture in concurrence.

Report of a Select Committee of the House, submitting a list of acts relating to the office of Insurance Commissioner, was

referred to the Committee on Civil Service Reform in concurrence.

Report of the Committee on Agriculture, on the petition of sundry persons for bounty on crows, that legislation thereon is inexpedient, was accepted in concurrence.

Report of the Committee on Fisheries, on the petition of Calvin B. Turner, submitting a bill to extend the time for taking smelts in the Penobscot river and its tributaries, was accepted in concurrence, and

On motion by Mr. PATTEN,

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

Report of the Committee on Indian Affairs on the credentials of Newall Joseph, delegate of the Passamaquoddy tribe of Indians, with resolve in favor of Newall Joseph.

Report of the same Committee on the credentials of Sabattus Dana, delegate from the Penobscot Indians with resolve in favor of Sebattus Dana ;

\*171 \*Were accepted, the resolves each read twice, the rules being suspended, and passed to be engrossed in concurrence.

Report of the Committee on Legal Affairs on bill to make legal the doings of the Oquossoc Angling Association, that the same ought to pass ;

Report of the same Committee on bill to incorporate the Lewiston and Auburn Telegraph Company, with the same in a new draft, and that it ought to pass ;

Report of the Committee on Railroads on the petition of Boston and Maine Railroad for discontinuance of the South Berwick branch, with bill additional relative to the Boston and Maine Railroad ;

Were accepted in concurrence, the bills each read once, and tomorrow assigned for their second reading.

A communication from Hon. E. H. Gové, Secretary of State, transmitting the report of the Justices of the Supreme Judicial

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Court upon a resolve in favor of the town of Alexander and eighteen other towns, was read, and

The report was referred to the Committee on the Judiciary.

Sent down for concurrence.

On motion by Mr. ROGERS of Sagadahoc,

That a message be conveyed by the Secretary to the Governor and Council, informing them that Hon. Chas. A. White 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 \*172 by the Legislature, and deposited in the office of the Secretary of State.

The message was conveyed by the Secretary.

On motion by Mr. REDLON,

*Ordered*, That the Committee on Legal Affairs inquire into the expediency of amending chapter 6 section 51 of the revised statutes, in relation to building, opening and repairing roads in places not incorporated.

Sent down for concurrence.

Mr. PARLIN presented the petition of Alonzo Richardson and others, for biennial sessions of the Legislature, and for reduction of the number of members of the House and Senate, which was referred to the Committee on the Judiciary.

Sent down for concurrence.

Mr. HARRIS, from the Committee on Interior Waters, on bill authorizing W. R. Sawyer to complete and extend an aqueduct in the town of Steuben, 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. ELLIS, from the Committee on Civil Service Reform, on an order, reported resolve providing for distribution of stationery to members of the Legislature;

The report was accepted, and the resolve laid over to be printed under the Joint Rule.

On motion by Mr. VINTON,

\*173 A bill to incorporate the Maine Ice Company, \*was taken from the table, read a second time, the rules being suspended, and passed to be engrossed in concurrence.

The Committee on Bills in the Second Reading, reported the following bills:

An act to amend chapter 14 of the public laws of 1872, in relation to service of precepts upon deputy sheriffs;

An act to authorize the erection of dams and booms in the Androscoggin river at Canton;

An act to exempt the Lewiston and Auburn railroad from taxation;

A bill to repeal an act concerning pickerel fishing in certain ponds in Fryeburg;

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

Sent down for concurrence.

The same Committee also reported the following resolve:

Resolve to facilitate the settlement of the public lands, and closing the land office;

Which was read a second time.

Mr. THOMAS proposed an amendment, marked "A" which was agreed to and the resolve passed to be engrossed.

Sent down for concurrence.

The same Committee also reported the following resolve:

Resolve in favor of Frederick Thurlough;

Which was read a second time, and

On motion by Mr. COBB,

*Resolved*, That it be indefinitely postponed.

\*174 \*Sent down for concurrence.

The same Committee also reported the following resolve:

Resolve in favor of James Cousins, Jr. ;

Which was read a second time, and

On motion by Mr. ELLIS,

*Ordered*, That it lie on the table.

The same Committee also reported the following bills :

A bill relating to scire facias ;

A bill to legalize the proceedings by which Wade plantation was organized ;

A bill to make valid the doings of the town of Northfield in Washington county ;

A bill to make valid the doings of the town of Millbridge, in relation to the building of a school house in Pearl District, in said town ;

A bill to make valid the doings of Merrill plantation, Aroostook county ;

A bill to prevent the destruction of smelts in the Medomak river and its tributaries ;

A bill to change the name of Etta S. Fillmore to Etta S. Winslow ;

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

\*WEDNESDAY, JANUARY 29, 1879. \*175

Prayer by the Chaplain.

The Journal of yesterday was read.

Papers from the House :

Petition of Wm. Russell and others, for legislation relative to damages for injuries on highways ;

Bill additional to the various acts concerning a lien on animals for pasturing, feeding and sheltering ;

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Bill to make valid the doings of the Portland Widows Wood Society ;

Bill to amend an act to incorporate the Portland Widows Wood Society, approved May 30, 1850 ;

Were referred to the Committee on the Judiciary in concurrence.

Bill to incorporate the Moosehead Lake Telegraph Company, was referred to the Committee on Legal Affairs in concurrence.

Report of the Committee on Legal Affairs, on bill to repeal chapter 117 of the public laws of 1873, relating to assistant county attorney of Cumberland county, that the same be referred to the Cumberland County Delegation ;

Report of the Committee on Fisheries, on the petition of Robert Jack and others for change of close time for taking fish in \*176 the \*Kennebec river, that the petitioners have leave to withdraw ;

Report of the same Committee on the petition of Israel Harrington and others, for legislation relative to taking alewives in the Damariscotta river, that the petitioners have leave to withdraw ;

Were severally accepted in concurrence.

Report of the Committee on Fisheries, on a bill to amend chapter 196 of the public laws of 1871, relating to river fisheries, that the same ought to pass ;

Report of the Committee on the Judiciary, on an order submitting a bill to repeal chapter 167 of the public laws of A. D., 1877, relating to the employment of detectives by the State ;

Report of the same Committee on bill to amend chapter 91, section 33 of the revised statutes, relating to lien for land rent, that the same ought to pass ;

Report of the Committee on Legal Affairs, on bill to provide for the payment of the fees and expenses of referees, that the same ought to pass ;

Report of the same Committee on bill to amend chapter 127 of the revised statutes, relating to trespass, submitting the same in a new draft and that it ought to pass ;



Report of the same Committee on bill to amend chapter 139 of the public laws of 1873, that the same ought to pass ;

Were severally accepted in concurrence, the bills each read once and to-morrow assigned for their second reading.

\*The following printed bill and resolves, viz : \*177

Bill to repeal chapter 232 of the public laws of 1874, entitled "an act additional to chapter 6 of the revised statutes, relating to taxes ;"

Resolve in favor of the town of Gouldsborough ;

Resolve providing for distribution of stationery to members of the legislature ;

Were each read once and to-morrow assigned for their second reading.

Mr. MOODY presented the remonstrance of W. M. Bradbury and others ;

Also the petition of Wm. G. Davis and others ;—severally against the Stevedore's bill so called, which were referred to the Committee on Commerce.

Mr. MORRISON presented a bill to amend section 53 of chapter six of the revised statutes in relation to the assessment of taxes for the repair of county roads in unincorporated townships, which was referred to the Committee on the Judiciary.

Mr. LINN presented a bill to regulate the taking and shooting of pigeons, which was referred to the Committee on Legal Affairs. Severally sent down for concurrence.

Mr. VINTON, from the Committee on the Judiciary, on bill to amend chapter 74 of the public laws of 1878, entitled "an act in relation to the Insolvent Laws of Maine," reported that the same be referred to the Select \*Committee on Insolvency \*178 Laws.

Mr. MORRISON, from the Committee on the Judiciary, on bill to incorporate the First Baptist Society in Freeport, reported that the same ought not to pass, the same being provided for by general statute.

Mr. VINTON, from the Committee on the Judiciary, on the petitions of the overseers of the poor of various towns for legislation providing for the support of paupers by the State, reported that the petitioners have leave to withdraw.

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The same Senator from the same Committee, on an order relating to the rate of interest, and also on the Governor's address relating to the same subject, reported that legislation thereon is inexpedient.

The same Senator from the same Committee, on an order relating to loitering about court rooms, reported that legislation thereon is inexpedient.

The same Senator from the same Committee, on bill to repeal chapter 140 of the public laws of 1876, relating to liens, reported that the same ought not to pass.

These reports were severally accepted.

Sent down for concurrence.

Mr. MORRISON, from the Committee on the Judiciary, on an order, reported a bill to amend chapter 27 of the public laws of 1872, relating to lien claims upon animals.

Mr. SMITH, from the Committee on Education, on an order reported a bill to amend chapter 63 of the public laws of \*179 1878, relating to \*the Maine Industrial School for Girls.

Mr. THOMAS, from the Committee on the Judiciary, on bill to amend chapter 50, section 12 of the public laws of 1878, for the protection game and birds, reported that the same ought to pass.

Mr. BARKER, from the Committee on State Lands and State Roads, on resolve confirming the location of the lots reserved for public uses in the town of Blaine, reported that the same ought to pass ;

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

Mr. ATWELL, from the Committee on Interior Waters, on the petition of J. H. Robinson and others, reported a bill authorizing the building a wharf at Emery's point, in the town of Hampden ;

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The report was accepted, the bill read twice, the rules being suspended and passed to be engrossed.

Sent down for concurrence.

On motion by Mr. ELLIS,

Resolve in favor of James Cousins, Jr., was taken from the table.

Mr. ROBERTS proposed an amendment marked "A" which was agreed to, and

Pending the passage of the resolve to be engrossed, after discussion,

On motion by Mr. ROBERTS,

*Ordered*, That the resolve be recommitted to the Committee on Claims.

Sent down for concurrence.

\*The Committee on Bills in the Second Reading reported \*180 the following bill :

An act authorizing W. R. Sawyer to complete and extend an aqueduct in the town of Steuben ;

Which was read a second time and passed to be engrossed.

Sent down for concurrence.

The same Committee also reported the following bills :

A bill to make legal the doings of Oquossoc Angling Association ;

A bill to incorporate the Lewiston and Auburn Telegraph Company ;

A bill additional relative to the Boston and Maine Railroad ;

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 and resolves :

An act to prevent fishing in the waters tributary to Great and Long ponds in the towns of Belgrade and Rome ;

An act to prevent the taking of fish in Cambridge pond in the town of Cambridge ;

An act to authorize the Protestant Methodist Church of North Gorham to sell and convey all its real estate ;

An act to authorize the Cobb Lime Company to engage in the manufacture of cement ;

An act to amend section 2 of chapter 396, approved March 1, 1870, concerning the destruction of alewives in Dennys river ;

\*181 \*Resolve in favor of Samuel Stevens of Fort Kent ;

Resolve in favor of Roxana Brown of Merrill plantation ;

Resolve in favor of Charles B. Lovejoy of Perham plantation ;

These bills were each passed to be enacted and the resolves 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. DURAN,

Adjourned.

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THURSDAY, JANUARY 30, 1879.

Prayer by the Chaplain.

The Journal of yesterday was read.

Orders from the House :

That the Committee on the Judiciary be requested to consider the expediency and economy of so amending the Constitution that the House of Representatives shall consist of not more than 101 members, and the Senate shall consist of not more than 21

\*182 members, instead of the number now authorized, \*was read and passed in concurrence.

Remonstrance of F. A. Gushee and others ;

Remonstrance of M. R. Mathews and others ;

Remonstrance of Cyrus R. Morton and others, — severally against setting off the town of Hope from the North Knox Agricultural Society and annexing the same to the Knox Agricultural Society ;

Were referred to the Committee on Agriculture in concurrence.

Petition of Newell Polis, for payment of a certain dividend, was referred to the Committee on Indian Affairs in concurrence.

Remonstrance of T. G. Bradstreet and others ;

Remonstrance of J. J. Parlin and others, — severally against the petition of Z. Chafee for relief from building a lock in the Kennebec Dam ;

Were referred to the Committee on Interior Waters in concurrence.

A bill to amend chapter 133 of the revised statutes ;

A bill in relation to itemized bill of costs before trial justices ;

A bill to legalize the action of the town of Waterborough, providing for the funding of its town debt ;

A bill to amend section 3, of chapter 116 of the revised statutes, relating to fees of trial justices and judges of municipal and police courts ;

A bill to amend chapter 59 of the public laws of 1872, relating to fees in criminal cases ;

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

Petition of Mary Stilkey of Augusta, for pension, was referred to the Committee on Pensions in concurrence.

Petition of John E. Cochrane and others, for organization of south half of Letter F range 1, Pleasant Ridge plantation, by the name of Granville plantation, was referred to the Committee on State Lands and State Roads in concurrence.

Report of the Committee on Interior Waters on the petition of the selectmen of Sidney and others, for authority to land merchandise at the Maine Central depots (for permission to run a

ferry boat across Kennebec river to railroad depot) that the petitioners have leave to withdraw ;

Report of the Committee on the Judiciary, on an order relating to the punishment for the crime of rape, that legislation thereon is inexpedient ;

Report of the same Committee, on bill to amend chapters 82 and 83 of the revised statutes in relation to executions, that the same ought not to pass ;

Report of the same Committee on an order relating to amending section 4 of chapter 18 of the revised statutes, relating to the disposition of highway taxes, collected and paid into the town treasuries that legislation thereon is inexpedient ;

Report of the Committee on State Lands and State Roads  
\*184 on the petition of George A. \*Saunders, referred from the last Legislature, for pay for stumpage of timber cut on lot 83, in number 14, range 4, Aroostook county, that the petitioner has leave to withdraw ;

Were severally accepted in concurrence.

Report of the Committee on Education, on the petition of the municipal officers of the town of Glenburn, for correction of error in return of the Supervisor of Schools, submitting resolve in favor of the town of Glenburn, was accepted in concurrence, the resolve read once and to-morrow assigned for its second reading.

Resolve in favor of Frederick Thurlough, indefinitely postponed by the Senate, came from the House, non-concurred and recommitted to the Committee on State Lands and State Roads ;

The Senate recessed and concurred.

The following printed bills and resolve, viz :

Bill to amend chapter 63 of the public laws of 1878, relating to the Maine Industrial School for Girls ;

Bill to amend chapter 27 of the public laws of 1872, relating to lien claims upon animals ;

Resolve confirming the location of lots reserved for public uses in the town of Blaine ;

Were each read once and to-morrow assigned for their second reading.

On motion by Mr. MORRISON,

*Ordered*, The House concurring, that the several Committee, of the Legislature report \*finally on or before the \*185 tenth day of February next.

Sent down for concurrence.

Mr. MAYHEW presented the petition of Elias Milliken and others, for a charter for Log Driving Corporation on Moose river, which was referred to the Committee on Interior Waters.

Mr. BARKER presented the petition of F. C. Hersey and others, for legislation relating to suits for malpractice, which was referred to the Committee on the Judiciary.

Sent down for concurrence.

Mr. VINTON read the remonstrance of John B. Fogg and others, against the druggist bill, so called, and

On motion by the same Senator,

*Ordered*, That it lie on the table.

Mr. THOMAS, read a resolve of the Reform Club of Harrison against the passage of the druggist bill, and

*Ordered*, That it lie on the table.

Mr. MAYHEW, from the Committee on Towns, on the petition of Moses M. Lander and others, to have certain lots of land set off from Freeman and annexed to Kingfield, reported that the petitioners have leave to withdraw.

Mr. PATTEN, from the Committee on Indian Affairs, on an order relating to the sale of settlers lots on Indian township in Washington county, reported that legislation thereon is inexpedient.

Mr. COBB, from the Androscoggin county delegation, on an order, reported

\*186 Resolve relating to salaries of county \*officers for Androscoggin county ;

The report was accepted and the resolve laid over to be printed under the Joint Rule.

On motion by Mr. COBB,

*Ordered*, That a message be sent to the Governor requesting the return to the Senate of

An act to authorize the county of Androscoggin to procure a loan for the purpose of funding its floating debt and temporary loans.

The message was conveyed by the Secretary, and in response thereto the bill was returned to the Senate, and

On motion by Mr. COBB,

The votes whereby the Senate passed the foregoing bill to be enacted, and to be engrossed, were reconsidered, and

*Ordered*, That the bill be referred to the Androscoggin county delegation.

Sent down for concurrence.

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

Bill to repeal chapter 232 of the public laws of 1874, entitled an act additional to chapter six of the revised statutes, relating to taxes ;

Resolve in favor of the town of Gouldsborough ;

Resolve providing for distribution of stationery to members of the legislature, which were each read a second time and passed to be engrossed.

Sent down for concurrence.

\*187 \*The same Committee also reported the following :

Bill to amend chapter 196 of the public laws of 1871, relating to river fisheries ;

Bill to provide for the payment of the fees and expenses of referees ;



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Bill to amend chapter 139 of the public laws of 1873, (relating to judgments when the plaintiff dies,) which were each read a second time, and

*Ordered*, That they lie on the table.

The same Committee also reported the following bills :

Bill to amend chapter 127 of the revised statutes, relating to trespass ;

Bill to amend chapter 91, section 33 of the revised statutes, relating to lien for land rent ;

Bill to repeal chapter 167 of the public laws of A. D., 1877, relating to the employment of detectives by the State ;

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 and resolve :

An act to prevent the taking of fish in Sibley's pond in Canaan and Pittsfield ;

Resolve amendatory of chapter 72, of the resolves of 1878 entitled "Resolve granting two lots of land to William Brown of Eagle Lake plantation under certain conditions.

This bill passed to be enacted, and the resolve finally passed in concurrence, and having been signed by the President were by the \*Secretary presented to the Governor for his \*188 approval.

On motion by Mr. VINTON,

Bill to provide for the payment of the fees and expenses of referees

Was taken from the table,

The question being on the passage of the bill to be engrossed.

Pending discussion on this question,

On motion by Mr. PRINCE,

Adjourned.

FRIDAY, JANUARY 31, 1879.

Prayer by the Chaplain.

The Journal of yesterday was approved.

Order from the House :

That the Committee on Education inquire into the expediency of providing by law that before the school books of any school district in this State shall be changed, the question of such change shall be submitted to the decision of the voters of such district at a meeting to be called for that purpose ; also to inquire into the expediency of providing by law that school districts at regular annual meetings shall be empowered to fix the salaries \*189 \*to be paid to teachers, was read and passed in concurrence.

Remonstrance of L. M. Staples and others ;

Remonstrance of Miller Thurston and others,—severally against setting off the town of Hope from the North Knox Agricultural Society, and annexing the same to the Knox Agricultural Society ;

Were referred to the Committee on Agriculture in concurrence.

Recommendations of the Hancock County Delegation in relation to reduction of salaries in said county, was referred to the Committee on Civil Service Reform in concurrence.

Bill in relation to weekly close-time for salmon and other fish on the Penobscot river, was referred to the Committee on Fisheries in concurrence.

Remonstrance of Franklin Reed and others ;

Remonstrance of F. Houdlette and others,—severally against relieving the proprietors of the Kennebec Dam from liability to build a fishway in said dam ;

Remonstrance of W. S. Marshall and others ;

Remonstrance of John U. Hubbard and others,—severally against the petition of Z. Chafee for relief from liability to build a lock in the Kennebec dam ;

Were referred to the Committee on Interior Waters in concurrence.

Petition of Cyrus Fassett and others, for amendment of section 8, of chapter 123 of the public laws of 1871, so as to exempt porgie \*factories and steamers in their employ from \*190 its provisions ;

Bill regulating the duties of the clerks, registers and recording officers of the several courts in this State ;

Were referred to the Committee on the Judiciary in concurrence.

Remonstrance of D. P. B. Pride and others, against the druggists' bill ;

Remonstrance of H. C. Munson and others, against the same ;

Were referred to the Committee on Temperance in concurrence.

Report of the Committee on the Judiciary, on bill to make valid certain instruments in writing without the use of seals, that the same ought not to pass, (accepted by the Senate) came from the House recommitted, with instructions to report a bill, and

On motion by Mr. VINTON,

*Ordered*, That it lie on the table.

Report of the Committee on Claims, on resolve in favor of the St. Croix and Penobscot Railway, that the same be referred to the next Legislature.

Report of the Committee on the Judiciary, on an order relating to the liability of railroad corporations for burial expenses of certain persons killed on railroads, that legislation thereon is inexpedient ;

Report of the same Committee on bill to incorporate the trustees of Oak Grove Seminary, that the same ought not to pass ;

\*Report of the Committee on Pensions, on the petition of \*191 W. W. Walker for pension, that the petitioner has leave to withdraw ;

Report of the Committee on Towns, on the petition of Caleb Fuller and others, praying to have certain lots set off from Woodstock and annexed to Paris, that the petitioners have leave to withdraw ;

Were severally accepted in concurrence.

Report of the Committee on Ways and Bridges, on the petition of William Flynn and others, submitting a bill to incorporate the Eliot Bridge Company, was accepted in concurrence, the bill read once and to-morrow assigned for its second reading.

On motion by Mr. PATTEN,

The vote was reconsidered whereby the Senate accepted the report of the Committee on Indian Affairs, on an order relating to the sale of settler's lots on Indian township, in Washington county, that legislation thereon is inexpedient, and

On motion by the same Senator,

By unanimous consent, the report was withdrawn.

On motion by Mr. MORRISON,

*Ordered*, That the Committee on Reform School inquire into the expediency of amending sections 10 and 11 of chapter 63 of the public laws of 1878, so that cities and towns shall not be charged for the support of parties sent to the Industrial School for Girls from such cities and towns.

\*192 \*Mr. MOODY, from the Committee on Commerce, on the petition of Charles Merrill and others, in relation to the work of stevedores, reported that legislation thereon is inexpedient ;

Mr. FERGUSON, from the Committee on Education, on the petition of citizens of Flagstaff and Bigelow, for change of boundary line for school purposes, reported that the petitioners have leave to withdraw ;

Mr. SMITH, from the same Committee, on an order relating to uniformity of text books, reported that legislation thereon is inexpedient ;

Mr. VINTON, from the Committee on the Judiciary, on the petitions of sundry persons for legislation, relating to suits for malpractice, reported that the petitioners have leave to withdraw ;

Mr. PATTEN, from the Committee on Indian Affairs, on an order relating to furnishing fuel for the Penobscot tribe of Indians, reported that legislation thereon is inexpedient ;

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Mr. ATWELL, from the Committee on Interior Waters, on a bill to prevent the throwing of refuse into the waters of the Presumpscot river and its tributaries, reported that the same be referred to the next Legislature with an order of notice ;

Mr. BARKER, from the Committee on State Lands and State Roads, on the petition of John E. Cochrane and others, that the south half of township F. range 1, might be organized into a plantation by the name of Granville, reported that legislation thereon is inexpedient, and that the papers inclosed be  
\*returned to the County Commissioners ; \*193

These reports were accepted.

Sent down for concurrence.

Mr. THOMAS, from the Committee on State Lands and State Roads, on an order relating to furnishing lands to settlers, reported resolve to facilitate the settlement of the wild lands of Maine ;

The report was accepted, and the resolve laid over to be printed under the Joint Rule.

The Committee on Bills in the Second Reading, reported the following bills :

Bill to amend chapter 27 of the public laws of 1872, relating to lien claims upon animals ;

Bill to amend chapter 63 of the public laws of 1878, relating to the Maine Industrial School for Girls, which were each read a second time, and

*Ordered*, That they lie on the table.

The same Committee reported the following resolve :

Resolve in favor of the town of Glenburn, which was read a second time and passed to be engrossed in concurrence.

The same Committee also reported the following resolve :

Resolve confirming the location of lots reserved for public uses in the town of Blaine, which was read a second time and passed to be engrossed.

Sent down for concurrence.

The Committee on Engrossed Bills, reported as truly and  
\*194 strictly engrossed the following \*bills and resolves :

An act relating to scire facias ;

An act in addition to school funds in the town of Shapleigh in the county of York ;

An act to prevent the destruction of smelts in the Medomak river and its tributaries ;

An act to change the name of Etta S. Fillmore to Etta S. Winslow ;

An act to make valid the doings of the town of Millbridge in relation to the building of a school house in Pearl district in said town ;

An act to make valid the doings of Merrill plantation, Aroostook county ;

An act to repeal an act concerning pickerel fishing in certain ponds in Fryeburg ;

An act to make valid the doings of the town of Northfield in Washington county ;

An act to incorporate the Maine Ice Company ;

An act to legalize the proceedings by which Wade plantation was organized ;

Resolve in favor of Sabbattus Dana ;

Resolve in favor of Newell Joseph.

These bills were each passed to be enacted, and the resolves finally passed in concurrence. And having been signed by the President, were by the Secretary presented to the Governor for his approval.

The Senate resumed consideration of a bill to provide for the payment of the fees and expenses of referees, under discussion at adjournment.

\*195 The question being on its passage to be \*engrossed, after discussion,

On motion by Mr. MADIGAN,

*Ordered*, That the bill lie on the table, and that Tuesday next, at 11 o'clock A. M., be assigned for its consideration.

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Mr. REDLON, from the Committee on Legal Affairs, on the petition of John Williams, reported a bill to authorize John Williams to remove remains from a burying ground ;

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

Mr. VINTON, from the Committee on the Judiciary, on bill additional to chapter 92 of the revised statutes concerning mills and mill dams, reported that the same ought to pass ;

The report was accepted and the bill laid over to be printed under the Joint Rule.

On motion by Mr. ELLIS,

Bill to amend chapter 63 of the public laws of 1878, relating to the Maine Industrial School for Girls, was taken from the table.

The bill passed to be engrossed.

Sent down for concurrence.

On motion by Mr. VINTON,

The report of the Committee on the Judiciary, on an order relating to certain instruments in writing without the use of seals, was taken from the table.

The question being on receding and concurring with the House, in re-committing the report with instructions to report a bill,

The Senate non-concurred, and

On motion by Mr. VINTON,

*\*Resolved*, That the Senate adheres to its vote accepting   \*196  
the report.

Sent down for concurrence.

On motion by Mr. HAWES,

Bill to amend chapter 196 of the public laws of 1871, relating to river fisheries, was taken from the table.

The bill passed to be engrossed in concurrence.

On motion by Mr. THOMPSON,

Adjourned.

SATURDAY, FEBRUARY 1, 1879.

Prayer by the Chaplain.

The Journal of yesterday was approved.

Papers from the House :

Memorial of the Kennebec Association for the Protection of Fish and Game, against relieving the Sprague Manufacturing Company from maintaining a fishway in the Kennebec dam at Augusta, was referred to the Committee on Interior Waters in concurrence.

A bill to authorize the courts to grant new trial ;

\*197 A bill authorizing Albert M. Bradley to \*dredge and navigate China pond ;

A bill relating to wharves and landings ;

A bill additional to chapter 31 of the revised statutes, as amended by chapter 124 of the public laws of 1876, relating to agents and warehouse men ;

Were referred to the Committee on the Judiciary in concurrence.

Remonstrance of James Bell and others ;

Remonstrance of L. R. Hursom and others,—severally against the druggists bill ;

Were referred to the Committee on Temperance in concurrence.

Report of the Committee on Mercantile Affairs and Insurance, on an order submitting bill relating to Life Insurance, came from the House recommitted and was recommitted in concurrence.

Report of the Committee on Indian Affairs, on the petition of the Penobscot Indians for repeal of chapter 301 of resolves of 1874, that legislation thereon is inexpedient ;

Report of the Committee on Legal Affairs, on an order relating to requiring affidavits of voters, before entering their names upon the voting lists, that legislation thereon is inexpedient ;



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Report of the same Committee on the petition of H. C. Martin and others, for the incorporation of Harpswell Gun Point Ice Company, that the petitioners have leave to withdraw, as the company can be incorporated by general law ;

Report of the Committee on Towns, on \*the petition of \*198

Major Kelley and others, for the annexation of Washington plantation to Wilton, that the petitioners have leave to withdraw ;

Report of the same Committee on the petition of Ira F. Cooper praying that his lot may be set off from township No. 7, Range 5, and annexed to No. 6, Range 5, that the petitioner has leave to withdraw ;

Were accepted in concurrence.

Report of the Committee on the Judiciary, on an order submitting a bill relating to school money in the city of Portland ;

Report of the Committee on Towns on the petition of citizens of Hallowell, submitting a bill revoking the city charter of Hallowell and for other purposes ;

Were accepted in concurrence, the bills each read once, and Monday assigned for their second reading.

The following printed bills and resolves, viz :

Bill to amend chapter 50 section 12 of the public laws of 1878, for the protection of game and birds ;

Bill additional to chapter 92 of the revised statutes, concerning mills and mill dams ;

Resolve to facilitate the settlement of the wild lands of Maine ;

Were each read once and Monday assigned for their second reading.

Resolve relating to salaries of county officers for Androscoggin county, was read once, and

\*On motion by Mr. VINTON, \*199

*Ordered*, That it be referred to the Committee on Civil Service Reform.

On motion by Mr. BARKER,

The vote was reconsidered whereby the Senate passed to be engrossed.

Resolve confirming the location of lots reserved for public uses in the town of Blaine.

The same Senator proposed an amendment marked Sen. No. 1, to amend by adding

Sec.—. This resolve shall take effect on its approval by the Governor.

The amendment was agreed to, and the resolve passed to be engrossed.

Sent down for concurrence.

On motion by Mr. PATTEN,

The rules were suspended and the vote reconsidered whereby the Senate passed to be engrossed.

Bill authorizing the building of a wharf at Emery's point, town of Hampden, and

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

On motion by Mr. MORRISON,

Bill to amend chapter 27 of the public laws of 1872, relating to lien claims upon animals, was taken from the table.

The same Senator proposed an amendment, marked Sen. No. 1, which was agreed to, and the bill passed to be engrossed.

Sent down for concurrence.

On motion by Mr. VINTON,

Bill to amend chapter 139 of the public laws of 1873, was taken from the table.

The bill passed to be engrossed in concurrence.

\*200 \*On motion by Mr. Prince,

*Ordered*, That the city government of the City of Augusta be requested to sand the principal sidewalks leading to the State House, so that people can travel on them without endangering their lives, and that the Secretary of the Senate forward a copy of this order to the Mayor of this city.

On motion by Mr. FERGUSON,

*Ordered*, That the Secretary of State be requested to furnish the Senate with a statement of the amount paid the past ten years

for defences of criminals, to whom paid and the names of the criminals defended.

On motion by Mr. SMITH,

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

Mr. COOMBS presented bill relating to togue or trout in Great Tunk pond in Hancock county ;

Which was referred to the Committee on Fisheries.

Sent down for concurrence.

Mr. VINTON, from the Committee on the Judiciary, on an order relating to establishing a State Board of Health, reported that Legislation thereon is inexpedient.

Mr. VINTON, from the Committee on the Judiciary, on sundry petitions, praying that women may have the right to vote, reported that the petitioners have leave to withdraw.

These reports were accepted.

Sent down for concurrence.

Mr. CHASE, from the Piscataquis County \*Delegation, \*201 on an order relating to the salaries of county officers, reported submitting certain recommendations.

The report was referred to the Committee on Civil Service Reform.

Sent down for concurrence.

Mr. VINTON, from the Committee on the Judiciary, on bill to prevent the adulteration of sugar and molasses, reported that the same ought to pass ;

Mr. MORRISON, from the same Committee, on bill to amend chapter 209 of the public laws of the year 1877, entitled an act to amend chapter 6, section 53 of the revised statutes, relating to repairs of ways in unincorporated townships, reported the same in a new draft, and that it ought to pass ;

Mr. THOMAS, from the same Committee, on an order reported :

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Bill to amend section 12 of chapter 135 of the revised statutes, relating to placing convicts at labor.

Mr. BRADFORD, from the Committee on Mercantile Affairs and Insurance, on an order reported :

Bill additional to chapter 34 of the revised statutes, relating to auctions and auctioneers.

Mr. PRINCE, from the Committee on State Lands and State Roads, on the petition of Virgil P. Hall and others, reported :

Resolve in favor of the town of Mayfield.

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

\*202 \*The Committee on Bills in the Second Reading reported the following :

Bill to incorporate the Eliot Bridge Company ;

Which was read a second time and passed to be engrossed in concurrence.

The same Committee also reported the following bill :

Bill to authorize John Williams to remove remains from a burying ground ;

Which was read a second time and passed to be engrossed.

Sent down for concurrence.

On motion by Mr. PATTEN,

Adjourned.

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MONDAY, FEBRUARY 3, 1879.

Prayer by the Chaplain.

The Journal of Saturday was approved.

Order from the House :

That the Committee on Finance is hereby instructed to inquire into the expediency of paying a temporary loan of \$150,000 nego-

tiated under the resolve of Feb. 21, 1878, out of the sinking fund, \$50,000 now being past due, and the balance of \$100,000 falling due on the 18th of Feb., 1879, was read \*and passed \*203 in concurrence.

Remonstrance of W. H. Fuller and others, against the petition of the A. & W. Sprague Manufacturing Company to be relieved from their obligation to build a fishway in the Augusta dam in the Kennebec river, was referred to the Committee on Interior Waters in concurrence.

Bill relating to the Monmouth Mutual Fire Insurance Company, was referred to the Committee on the Judiciary in concurrence.

Report of the Committee on Education, on an order to inquire into the expediency of repealing chapter 142 of the laws of 1876, that legislation thereon is inexpedient ;

Report of the Committee on Fisheries, on the petition of M. B. Hammond and others, for enactment of a law prohibiting the taking of pickerel and pike from Lovejoy's pond, in the town of Albion, that the petitioners have leave to withdraw ;

Report of the same Committee on the petition of John A. Merry and others, for a change in the law relating to taking alewives in Damariscotta river, that the petitioners have leave to withdraw ;

Were accepted in concurrence.

Report of the Committee on Printing and Binding, on an order of inquiry as to how and by whom the State printing "is now being done," that the work of engrossing is being done at the office of the National Democrat by direction of the Secretary of State, and as he claims by authority of the provision of the \*law of 1866. The House Register, Diagram, Governor's \*204 Address, &c., were also done at that office by direction of the Clerks of this House under misapprehension of the provisions of the contract for State printing, and the Committee is informed that the cost of same will be ten to fifteen per cent less than contract price. All other printing has been done at the Journal office under contract ;

Came up accepted, and

On motion by Mr. MAYHEW,

*Ordered*, That it lie on the table.

Report of the Committee on Towns, on the petition of Edmund T. Stewart and others, that their real estate be set off from the Bridgton Centre Village Corporation, that the petition be referred to the next Legislature, with order of notice, was accepted in concurrence.

Report of the Cumberland county delegation, relating to reduction of salaries of county officers of said county, submitting certain recommendations, came up referred to the Committee on Civil Service Reform, and

On motion by Mr. VINTON,

The Senate non-concurred and the report was recommitted to the Cumberland county delegation.

Sent down for concurrence.

Report of the Committee on Interior Waters, on bill to amend the charter of the Wassataquoik Dam Company, that the same ought to pass;

\*205 Report of the Committee on the Judiciary, \*on bill to incorporate the Androscoggin Telegraph Company, that the same ought to pass;

Were accepted in concurrence, the bills each read once and to-morrow assigned for their second reading.

A communication was received from Hon. E. H. Gove, Secretary of State, transmitting lists of stockholders of corporations as returned by cashiers and clerks, which was read and sent down.

A communication was received from the Secretary of State, in response to an order of the Senate, transmitting a statement of the amount paid the past ten years for defense of criminals, the name of the party to whom paid, and the name of the criminal defended, which was read, and

On motion by Mr. FERGUSON,

*Ordered*, That the communication lie on the table and be printed with the accompanying statement.

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The following printed bills, viz :

Bill to amend chapter 209 of the public laws of the year 1877, entitled "an act to amend chapter 6, section 53 of the revised statutes, relating to repairs of ways in unincorporated townships ;"

Bill to prevent the adulteration of sugar and molasses ;

Bill to amend section 12 of chapter 135 of the revised statutes, relating to placing convicts at labor ;

\*206 Bill additional to chapter 34 of the revised \*statutes, relating to auctions and auctioneers ;

Were each read once, and to-morrow assigned for their second reading.

Mr. REDLON, from the Committee on Legal Affairs, on the petition of John B. Morrison and others, praying that women may be allowed the right to vote in school district meetings, reported that the petitioners have leave to withdraw.

Mr. MOODY, from the Committee on Commerce, on the petition of A. K. Benner and others, for authority to build a wharf in Delano's Cove in Friendship, reported that legislation thereon is inexpedient.

On motion by Mr. ATWELL,

Bill authorizing the building of a wharf at Emery's point, town of Hampden, was taken from the table, and after discussion

On motion by Mr. PATTEN,

*Ordered*, That it lie on the table.

The Committee on Bills in the Second Reading, reported the following bills and resolve :

Bill to amend chapter 50 section 12 of the public laws of 1878, for the protection of game and birds ;

Bill additional to chapter 92 of the revised statutes, concerning mills and mill dams ;

Resolve to facilitate the settlement of the wild lands of Maine ;

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 bills :

\*207 \*Bill relating to school money in the City of Portland ;

Bill revoking the city charter of Hallowell, and for other purposes ;

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 :

An act to incorporate the Circuit Court Law Library Association ;

An act to incorporate the Lewiston and Auburn Telegraph Company ;

An act relative to the Boston and Maine Railroad ;

These 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. MAYHEW,

Adjourned.

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TUESDAY, FEBRUARY 4, 1879.

Prayer by the Chaplain.

The Journal of yesterday was approved.

Orders from the House :

That committees report on or before Saturday next, so far  
\*208 as possible on all matters \*requiring appropriation of money, was read and passed in concurrence.

Remonstrance of M. Taylor and others ;

Remonstrance of A. M. Crabtree and others ;

Remonstrance of G. W. Morse and others,—severally against setting off the town of Hope from the North Knox Agricultural Society, and annexing the same to the Knox Agricultural Society ;



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Bill additional to an act to incorporate the Kennebec Agricultural Society ;

Were referred to the Committee on Agriculture in concurrence.

Remonstrance of S. W. Weston and others ;

Remonstrance of J. Pratt and others ;

Remonstrance of Joel Colby and others ;

Remonstrance of Edward Rowe and others ;

Remonstrance of C. C. Cornish and others,—severally against relieving the proprietors of Kennebec dam at Augusta, from maintaining a lock in said dam ;

Were referred to the Committee on Interior Waters in concurrence.

Petition of Geo. W. Garland and others, for repeal of section 65 chapter 18 of the revised statutes, relating to damages on highways ;

Bill to facilitate the speedy determination of causes in the Supreme Judicial Court ;

Were referred to the Committee on the Judiciary in concurrence.

Bill to amend chapter 51 section 80 of the revised statutes, relating to voting on the question of loaning money, was referred to the Committee on Legal Affairs in concurrence.

\*Remonstrance of M. P. Hatch and others, against certain proposed changes in the liquor law ; \*209

Remonstrance of W. F. Bacon and others, against the druggists bill ;

Were referred to the Committee on Temperance in concurrence.

Report of the Committee on Fisheries, on the petition of Thomas A. Osier and others, for legislation relating to the protection of lobsters, that the petitioners have leave to withdraw ;

Report of the Committee on the Judiciary, on the petition of Horace Ingraham and others, for secret ballot at elections, that the petitioners have leave to withdraw ;

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Report of the Committee on Mercantile Affairs and Insurance on the petition of L. P. Boothby and others, for the incorporation of a Mutual Fire Insurance Company, that the petitioners have leave to withdraw ;

Report of the Committee on Towns, on the petition of Frank J. Austin and others, for the annexation of Perkins plantation to the town of Weld, and the annexation of Washington plantation to the town of Wilton, that the petitioners have leave to withdraw ;

Were severally accepted in concurrence.

Report of the Committee on Interior Waters, on bill to authorize Horace Cole to navigate Pennessawassee pond and lake by steam, that the same ought to pass ;

Report of the Committee on the Judiciary, on an order relating to amending section 12, chapter 134 of the revised statutes, \*210 submitting \*a bill relating to crimes formerly capital ;

Report of the same Committee on bill to amend section 1, of chapter 124 of the revised statutes, that the same ought to pass ;

Report of the same Committee on bill relating to the testimony of persons accused of crime, that the same ought to pass ;

Report of the same Committee on bill to amend chapter 18 of the revised statutes, relating to ways, that the same ought to pass ;

Report of the Committee on Legal Affairs, on the petition of inhabitants of Chapman plantation, submitting bill to make legal and valid the doings of the inhabitants of Chapman plantation in the county of Aroostook ;

Report of the same Committee on bill to amend chapter 67 of the public laws of 1878 ;

Report of the same Committee on bill to amend chapter 22, section 6 of the revised statutes of 1871, that the same ought to pass ;

Report of the Committee on Interior Waters, on an order submitting a bill to authorize Rodney C. Barker to navigate Mattawamkeag lake and river by steam or horse power ;

Were severally accepted in concurrence, the bills each read once and to-morrow assigned for their second reading.

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Bill to repeal chapter 232 of the public laws of 1874, entitled an act additional to chapter 6 of the revised statutes, relating to taxes, passed to be engrossed by the Senate, came from the House re-committed to the Committee on the Judiciary, and was re-committed \*in concurrence. \*211

Report of the Committee on the Judiciary, on bill to make valid certain instruments in writing without the use of seals, that the same ought not to pass, accepted by the Senate, came from the House and that branch insists upon recommitting the report and proposes a Committee of Conference, with

Messrs. Gilman of Meddybemps, Libby of Waterboro, Morrill of Windham, appointed conferees.

On motion by Mr. VINTON,

The Senate receded from its vote to adhere, insisted upon its acceptance of the report, concurred in the proposed Committee of Conference, and appointed

Messrs. Vinton of Cumberland, Morrison of Franklin, Barker of Penobscot, conferees on its part.

The following printed resolve :

Resolve in favor of the town of Mayfield, was read once and to-morrow assigned for its second reading.

On motion by Mr. MAYHEW,

*Ordered*, That the Committee on the Judiciary ascertain whether the Secretary of State has the right under law to have the engrossing done at other than the State printers, and report on the same soon as practicable.

On motion by Mr. PATTEN,

*Ordered*, That the Committee on Civil Service Reform be requested to take into consideration \*the propriety of \*212 so reducing the mileage of members of the Legislature, that it may conform to section 7 of article 4 of the constitution.

Mr. HAWES presented a bill additional to chapter 75 of the public laws of 1878, entitled "an act to regulate and protect fisheries and the propagation of fish ;

Which was referred to the Committee on Fisheries.

Mr. VINTON present a bill to amend section 10 of chapter 77 of the revised statutes ;

Which was referred to the Committee on the Judiciary.

Sent down for concurrence.

Mr. HARRIS, from the Committee on Interior Waters, on the petition of Charles H. Donworth, reported a bill authorizing Charles H. Donworth to extend his wharf into the waters of the Machias river ;

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

Mr. REDLON, from the Committee on Legal Affairs, on the petition of Charles Hoxie and others of Orneville, for relief from its pauper debt, reported that the same be referred to the Committee on Financial Affairs ;

The report was accepted.

Sent down for concurrence.

On motion by Mr. HARRIS,

Bill authorizing the building a wharf at Emery's point, town of Hampden, was taken from the table, and after discussion,

On motion by Mr. PATTEN,

\*213 \* *Ordered*, That the bill lie on the table.

The Committee on Bills in the Second Reading, reported the following bills :

Bill to prevent the adulteration of sugar and molasses ;

Bill to amend chapter 209 of the public laws of the year 1877, entitled "an act to amend chapter 6, section 53 of the revised statutes, relating to repairs of ways in unincorporated townships ;"

Bill to amend section 12 of chapter 135 of the revised statutes, relating to placing convicts at labor ;

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

Sent down for concurrence.

The same Committee also reported the following bill :

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Bill additional to chapter 34 of the revised statutes, relating to auction and auctioneers ;

Which was read a second time, and

On motion by Mr. MORRISON,

*Ordered*, That it lie on the table.

The same Committee also reported the following bill :

Bill to incorporate the Androscoggin Telegraph Company ;

Which was read a second time.

Hr. HAWES proposed an amendment marked A, which was agreed to, and the bill passed to be engrossed.

Sent down for concurrence.

The same Committee also reported the following bill :

\*Bill to amend the charter of the Wassataquoik Co. ; \*214

Which was 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 :

An act to exempt the Lewiston and Auburn Railroad from taxation ;

An act for repeal of chapter 209 of private and special laws of 1876 ;

An act to amend chapter 127 of the revised statutes relating to trespass ;

An act relating to the Union Water Power Company.

These 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. VINTON,

The Senate resumed consideration of bill to provide for the payment of the fees and expenses of referees.

The question being on the passage of the bill to be engrossed.

It was determined in the affirmative, yeas 14, nays 12.

On motion by Mr. VINTON,

The yeas and nays being desired by one-fifth of the Senators present. Those who voted in the affirmative are :

Messrs. Atwell, Chase, Cobb, Coombs, Ellis, Parlin, Patten, Prince, Redlon, Roberts, Rogers of Penobscot, Rogers of Sagadahoc, Thompson and Wait—14.

Those who voted in the negative are :

\*215 \*Messrs. Barker, Bradford, Fergusson, Harris, Hawes, Madigan, Mayhew, Moody, Morrison, Smith, Thomas, Vinton—12.

So the bill passed to be engrossed in concurrence.

On motion by Mr. MAYHEW,

The report of the Committee on Printing and Binding, on an order relating to where and by what authority the State printing is *now* being executed, was taken from the table.

The Senate non-concurred in the acceptance of the report, and

*Ordered*, That it be referred to the Committee on the Judiciary.

On motion by Mr. THOMPSON,

Adjourned.

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WEDNESDAY, FEBRUARY 5, 1879.

The Senate was called to order by the Secretary, who read the following :

To SAMUEL W. LANE, Esq.,

*Secretary of the Senate :*

DEAR SIR : I shall necessarily be absent at the hour for meeting of the Senate this morning.

Very respectfully,

J. MANCHESTER HAYNES.

\*On motion by Mr. COBB,

\*216

Messrs. Cobb of Androscoggin. Atwell of Penobscot and Harris of Washington, were appointed a Committee to receive, sort and count the votes for President *pro tempore*.

Having attended to that duty the Committee reported as follows :

The whole number of votes is.....	19
Necessary for a choice.....	10
W. W. Thomas, Jr., has.....	19

The report was accepted and Hon. W. W. Thomas, Jr., was declared duly elected President *pro tempore*.

Mr. Thomas was conducted to the chair by Mr. Morrison of Franklin and Mr. Atwell of Penobscot, and thereupon addressed the Senate as follows :

SENATORS,—I thank you for this unanimous expression of your confidence. During the brief period I may occupy the chair, I shall endeavor to perform its duties impartially.

Prayer by Rev. Mr. Allen, Chaplain of the House.

The Journal of yesterday was approved.

On motion by Mr. BRADFORD,

The Secretary was charged with a message to the Governor and Council and to the House of Representatives, informing them that in the absence of the President, the Senate has made choice of Hon. W. W. Thomas, Jr., as President *pro tempore*.

\*The Secretary subsequently reported that he had delivered the message. \*217

Order from the House :

That the Committee on Agriculture take into consideration the expediency of legislation to prevent the spread of the disease known as glanders, now prevailing to an alarming extent among the horses in Massachusetts, and report as soon as practicable to the Legislature.

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Remonstrance of Joseph Bowker and others ;

Remonstrance of E. L. Getchell and others,—severally against relieving the proprietors of the Kennebec Dam at Augusta, from maintaining a lock in said dam ;

Were referred to the Committee on Interior Waters in concurrence.

Remonstrance of W. H. Boardman and others, against requiring town meetings in the City of Calais, was referred to the Committee on the Judiciary in concurrence.

Bill to amend an act to incorporate the Maine General Hospital, approved February 26, 1870, was referred to the Committee on Financial Affairs in concurrence.

Remonstrance of the Gardiner Reform Club against the Druggist's bill ;

Resolution of the Calais Reform Club, against any change in the prohibitory law ;

Bill to amend chapter 27 section 22 of the revised statutes, as amended by chapter 215 of the public laws of 1877 ;

\*218 Were referred to the Committee on \*Temperance in concurrence.

Report of the Washington County Delegation on an order relating to the salaries of county officers of said county, submitting certain recommendations, was referred to the Committee on Civil Service Reform in concurrence.

Report of the Committee on Legal Affairs, on an order relating to the protection of parties selling machinery to be attached to real estate, that legislation thereon is inexpedient ;

Report of the same Committee on an order relating to amending section 17 of chapter 64 of the revised statutes, relating to the appointment of administrators, that legislation thereon is inexpedient ;

Report of the same Committee on the petition of James O. Bradbury for legislation relating to trespass and leaving open of gates and bars, that the petitioners have leave to withdraw ;



Report of the same Committee on the petition of Nathaniel Hobbs and others, for change in the game laws, that the petitioners have leave to withdraw ;

Report of the Committee on Indian Affairs, on the petition of Newall Polis for a certain dividend, that the same be referred to the Governor and Council ;

Report of the Committee on Legal Affairs on an order relating to the duties of the Attorney General, and so amending the Constitution as to dispense with said officer, \*that the same \*219 be referred to the Committee on Civil Service Reform ;

Report of the same Committee on an order relating to abolishing the office of State Reporter of Decisions, that the same be referred to the Committee on Civil Service Reform ;

Report of the same Committee on the petition of Jonathan Bartlett and others, for legislation relating to the setting off of a part of Montville and annexing the same to Liberty, in 1876, that the same be referred to the Committee on Financial Affairs ;

Were severally accepted in concurrence.

Report of the Committee on Fisheries on the petition of Andrew R. Gay and others, submitting a bill concerning the taking of trout in Gay brook in the town of Casco, Cumberland county ;

Report of the same Committee on bill to amend chapter 75 of the public laws of 1878, entitled "an act to regulate and protect fisheries and the propagation of fish," that the same ought to pass ;

Report of the Committee on Interior Waters on the petition of Stephen Taylor and others, submitting a bill to authorize dams and embankments in the town of Byron, in Oxford county, to prevent the water of Swift river from injuring the public highway ;

Were accepted in concurrence, the bills each read once, and to-morrow assigned for their second reading.

Report of the Committee on Civil Service Reform, on an order submitting a bill fixing \*the salaries of certain public \*220 officers and compensation of certain members of the government, recommitted by the Senate, came from the House

accepted, the bill amended, per sheets A. B. C. D. E. F. and G., and passed to be engrossed.

The Senate receded and concurred in the acceptance of the report, and pending the first reading of the bill,

On motion by Mr. VINTON,

*Ordered*, That it lie on the table and be printed as amended by the House.

On motion by Mr. MAYHEW,

*Ordered*, That the Committee on Civil Service Reform inquire into the expediency of reducing the salaries of Senators and Representatives.

On motion by Mr. PARLIN,

*Ordered*, That the Committee on Public Buildings inquire into the expediency of changing the passage way from the entrance towards the Secretary's desk in this Chamber, so as to put it upon a level with the floor on each side of it.

Sent down for concurrence.

On motion by Mr. THOMPSON,

*Ordered*, That the Secretary of the Senate be and is hereby instructed to find if the firm of Sprague, Owen & Nash, printers to the State for the year 1878, *claim* to have done the engrossing of the year 1878, under their contract for State printing, and report to the Senate.

\*221 Mr. VINTON presented a bill to repeal \*chapter 240 of the private and special laws of 1876, which was referred to the Committee on Fisheries.

Sent down for concurrence.

Mr. COOMBS, from the Committee on Fisheries, on an order relating to protecting eels in Bagaduce river, reported that legislation thereon is inexpedient.

Mr. VINTON, from the Committee on the Judiciary, on bill to amend chapter 7 of the public laws of 1875, concerning the settlement of persons connected with the National Soldiers Home at Togus in the county of Kennebec, reported that the same ought not to pass.

Mr. PRINCE, from the Committee on State Lands and State Roads, on resolve in favor of Frederick Thurlough, reported that the same ought not to pass, for the reason that said Thurlough does not own the land on which said trespass was committed.

These reports were accepted.

Sent down for concurrence.

Mr. ATWELL, from the Committee on Interior Waters, on bill to supply the people of Fryeburg village with pure water, reported that the same ought to pass.

The report was accepted, and

On motion by the same Senator,

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

Mr. ROGERS of Sagadahoc, from the Committee on Ways and Bridges, on the petition of David Wilder and others, for an appropriation \*to repair road in Perkins and Wash- \*222 ington plantations, reported resolve in favor of Perkins and Washington plantations.

The report was accepted and the resolve laid over to be printed under the Joint Rule.

Mr. COOMBS, from the Committee on Fisheries, on bill relating to fishing in Cumberland county, reported the same in a new draft that it ought to pass ;

Mr. ATWELL, from the Committee on Interior Waters, on bill to incorporate the Pleasant River Dam and Improvement Company, reported that the same ought to pass.

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

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

Bill to authorize Rodney C. Barker to navigate Mattawamkeag lake and river by steam or horse, power which was read a second time.

House amendment A, was agreed to, and

On motion by Mr. BRADFORD,

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

Subsequently, on motion by the same Senator,

The bill was taken from the table, and passed to be engrossed in concurrence.

The same Committee also reported the following bills :

Bill to make legal and valid the doings of the inhabitants of Chapman plantation in the county of Aroostook ;

\*223 Bill to authorize Horace Cole to \*navigate Pennessawassee pond and lake by steam ;

Bill to amend chapter 67 of the public laws of 1878 ;

Bill to amend chapter 22, section 6 of the revised statutes of 1871 ;

Bill to amend chapter 18 of revised statutes, relating to ways ;

Bill relating to the testimony of persons accused of crime ;

Bill to amend section 1 of chapter 124 of the revised statutes ;

Bill relating to crimes formerly capital ;

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

The same Committee also reported the following bill :

Bill authorizing Charles H. Danworth to extend his wharf into the waters of the Machias river, which was read a second time and passed to be engrossed.

Sent down for concurrence.

The same Committee also reported the following resolve :

Resolve in favor of the town of Mayfield, which was read a second time, and

On motion by Mr. BARKER,

*Ordered*, That it lie on the table.

The Committee on Engrossed Bills, reported as truly and strictly engrossed the following bills and resolve :

An act to amend chapter 14 of the public laws of 1872, in relation to service of precepts upon deputy sheriffs ;

\*224 \*An act to authorize the erection of dams and booms in the Androscoggin river at Canton ;

An act to amend chapter 91, section 33 of the revised statutes relating to lien for land rent;

An act to repeal chapter 167 of the public laws of A. D., 1877, relating to the employment of detectives by the State;

Resolve in favor of the town of Glenburn;

These bills were each passed to be enacted and the resolve finally passed in concurrence, and having been signed by the President, *pro tempore*, were by the Secretary presented to the Governor for his approval.

On motion by Mr. MAYHEW,  
Adjourned.

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THURSDAY, FEBRUARY 6, 1879.

The President resumed the Chair.

Prayer by the Chaplain.

The Journal of yesterday was approved.

Order from the House:

That the Sagadahoc county delegation be authorized to take into consideration the reduction of salaries of Sagadahoc county, and \*report directly to the Committee on Civil \*225 Service Reform, was read and passed in concurrence.

Remonstrance of G. M. Payson and others, against setting off the town of Hope from the North Knox Agricultural Society and annexing the same to the Knox Agricultural Society, were referred to the Committee on Agriculture in concurrence.

Recommendations of the York County Delegation, relating to the salaries of county officers of said county, was referred to the Committee on Civil Service Reform in concurrence.

Remonstrance of I. S. Bangs and others;

Remonstrance of C. A. Priest and others;

Remonstrance of Noah Boothby and others;

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Remonstrance of William H. Pearson and others,—severally against relieving the proprietors of the Kennebec dam at Augusta, from maintaining a lock in said dam ;

Remonstrance of R. Reed and others ;

Remonstrance of J. L. Brown and others ;

Remonstrance of Charles C. Hamlin and others,—severally against relieving the proprietors of the Kennebec dam at Augusta, from building and maintaining a fishway in said dam ;

Were referred to the Committee on Interior Waters in concurrence.

Bill relating to choice of directors of insurance companies ;

Bill to amend an act relating to recording devises of real estate in the registry of deeds ;

\*226 \*Were referred to the Committee on the Judiciary in concurrence.

Petition of J. C. Purrington and others of Bowdoin, for the incorporation of a town insurance company, was referred to the Committee on Mercantile Affairs and Insurance in concurrence.

Remonstrance of Warren Division, Sons of Temperance ;

Remonstrance of T. R. Simonton and others,—severally against the druggist's bill ;

Were referred to the Committee on Temperance in concurrence.

Report of the Committee on Legal Affairs, on the petition of Daniel C. Norton and others, for legislation authorizing school district No. 9, in Kittery, to elect a district Treasurer, that the petitioners have leave to withdraw, came up recommitted, and was recommitted in concurrence.

Report of the Oxford County Delegation, on an order relating to the salaries of county officers of said county, submitting certain recommendations, and that the same be referred to the Committee on Civil Service Reform ;

Report of the Committee on Agriculture, on the petition of A. L. Hambleton and others, for further protection against dogs, that the petitioners have leave to withdraw ;

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Report of the same Committee, on the petition of W. H. Rackliff and others, for legislation relating to toll on buckwheat, that the petitioners have leave to withdraw ;

\*Report of the Committee on Claims, on the petition of \*227 Thomas W. Porter, for pay for certain services in recruiting, that the petitioner has leave to withdraw ;

Report of the Committee on Interior Waters, on bill to amend an act entitled an act to incorporate the Androscoggin Water Power Company, that the same ought not to pass ;

Report of the Committee on Legal Affairs, on the petition of C. B. Russell and others, for repeal of section 65 of chapter 18 of the revised statutes, relating to damages on highways, that the petitioners have leave to withdraw ;

Report of the same Committee, on an order relating to amending chapter 60 of the laws of 1876, so that guardians can make oath to their accounts before a justice of peace, that legislation thereon is inexpedient ;

Report of the same Committee, on an order relating to the punishment of felony attended with the use of dangerous weapons, that legislation thereon is inexpedient ;

Report of the same Committee on an order relating to highway labor for taxes, that legislation thereon is inexpedient ;

Report of the Committee on Towns, on the petition of Frank A. Hart and others, for the incorporation of number 8, range 8, north of Waldo Patent, into a town to be called Howard, that the petitioners have leave to withdraw ;

Report of the same Committee, on the petition of John G. Thayer and others, for the incorporation of Woodland plantation into a town, that the same be referred to the next Legislature \*with an order of notice ; \*228

Report of the same Committee on the petition of John E. Haley and others, for a division of the town of Eaton, that the petitioners have leave to withdraw ;

Were severally accepted in concurrence. \*

Report of the Committee on Indian Affairs, on the petition of Leroy Neptune and others, submitting resolve in favor of the Passamaquoddy Indians ;

Report of the Committee on Interior Waters, on the petition of Stephen Taplor and others, for an appropriation for building dams and embankments on Swift river, submitting resolve in aid of the town of Byron in Oxford county ;

Report of the Committee on Railroads, on bill to facilitate and equalize the transportation of freight and passengers over all railroads in the State, that the same ought to pass ;

Were accepted in concurrence, the resolves and bill each read once and to-morrow assigned for their second reading.

Report of the Committee on the Judiciary, on an order relating to limiting the costs allowed prevailing parties in civil causes, that legislation thereon is inexpedient, came from the House amended by substituting the report of the minority of said Committee, submitting a bill limiting the allowance for travel and attendance to parties recovering costs in the courts of this State.

\*229 The amendment was agreed to, the report was \*accepted, the bill read once and to-morrow assigned for its second reading.

The following communicatton was received from Hon. E. H. Gove, Secretary of State :

*To the President of the Senate :*

In conformity with section 10, chapter 50 of the public laws of 1878, I have the honor to say that "by the returns received at this office," nothing has been done in execution of the provisions of said chapter.

(Signed)

E. H. GOVE,  
*Secretary of State.*

The following communication was read :

STATE OF MAINE,        }  
SENATE CHAMBER, Feb. 6, 1879. }

*To the President of the Senate :*

In compliance with an order of the Senate, instructing its Secretary to find and report if the firm of Sprague, Owen & Nash, printers to the State for the year 1878, claim to have done the engrossing of the year 1878 under their contract for State print-



ing, I have the honor to report the accompanying communication from the contractors, Messrs. Sprague, Owen & Nash.

Very respectfully,

SAMUEL W. LANE, *Secretary.*

ACCOMPANYING COMMUNICATION :

\*AUGUSTA, ME., Feb. 5, 1879. \*230

HON. SAMUEL W. LANE,

*Secretary of the Senate :*

DEAR SIR : Your note of this date is received, in which you inquire if we "claim to have executed the engrossing for the State, for the year 1878, under the contract for executing the State printing." In reply, we have to say that the contract named required and still requires us to do all the printing for which the State is held to pay, except such as is otherwise provided for by the revised statutes. The class of printing, termed engrossing, came under the contract of 1878, (and also under all preceding contracts for State printing with which we have had anything to do,) and was paid for by the State under the contract from the appropriation for State printing.

We are very truly,

Your obedient servants,

(Signed) SPRAGUE, OWEN & NASH, *Contractors.*

On motion by Mr. VINTON,

*Ordered,* That the communications be referred to the Committee on the Judiciary.

The following printed resolve :

Resolve in favor of Perkins and Washington plantations, was read once and to-morrow assigned for its second reading.

Mr. MAYHEW, from the Kennebec County Delegation, on an order relating to the salaries of county officers of said county, submitted certain \*recommendations ;

\*231

Which was referred to the Committee on Civil Service Reform.

Mr. VINTON, from the Cumberland County Delegation, on an order relating to the salaries of county officers of said county, submitted certain recommendations ;

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The report was referred to the Committee on Civil Service Reform.

Mr. THOMAS, from the Committee on the Judiciary, on bill to amend section 7, chapter 130 of the revised statutes, relating to embezzlement, reported that the same be referred to the next Legislature ;

Mr. ATWELL, from the Committee on Pensions, on the petition of Mary Stilkey for pension, reported that the petitioner has leave to withdraw ;

These reports were accepted.

Sent down for concurrence.

Mr. HARRIS, from the Committee on Interior Waters, on the petition of T. E. Skolfield and others, reported a bill authorizing the Harpswell Gun Point Ice Company to build a dam across Mill Cove, in the town of Harpswell ;

Mr. REDLON, from the Committee on Legal Affairs, on bill to make valid the doings of the town of Canton, in the county of Oxford, reported that the same ought to pass ;

Mr. THOMAS, from the Committee on Railroads, on the petition of H. R. Downs and others, reported a bill to incorporate the Presque Isle and Maysville Railroad Company ;

These reports were accepted, the bills each read once and \*232 to-morrow assigned for their second \*reading.

Mr. VINTON, from the Cumberland County Delegation, on an order, reported a bill to regulate the terms for jury trials in the Superior Court, for the county of Cumberland, and to transfer the criminal jurisdiction of said court to the Supreme Judicial Court ;

Mr. REDLON, from the Committee on Legal Affairs, on bill to regulate the taking and shooting of pigeons, reported that the same ought to pass ;

Mr. ATWELL, from the Committee on Military Affairs, on resolve in favor of Frank Albert, reported that the same ought to pass ;

Mr. WAIT, from the Committee on Agriculture, on the annual report of the trustees and officers of the State College of Agriculture, reported,

Resolve in favor of the Maine State College of Agriculture and Mechanic Arts ;

Mr. BRADFORD, from the Committee on Mercantile Affairs and Insurance, on bill to amend chapter 185 of the public laws of 1877, relating to life insurance, reported that the same ought to pass ;

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

Mr. ATWELL, from the Committee on Pensions, submitted the final report of said Committee, that they have acted on all matters referred to them.

The report was accepted.

Sent down for concurrence.

Mr. VINTON, from the Committee of Conference on the disagreeing vote of the two branches \*on bill to make valid \*233 certain instruments in writing, without the use of seals, reported that the committee was unable to agree with the committee on the part of the House, and recommend that the Senate adhere to its former vote.

The report was accepted.

*Resolved*, That the Senate adheres.

The Committee on Bills in the Second Reading, reported the following bills :

Bill to incorporate the Pleasant river dam and Improvement Company ;

Bill relating to fishing in Cumberland county ;

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

Sent down for concurrence.

The same Committee also reported the following bills :

Bill concerning the taking of trout in Gay brook in the town of Casco, Cumberland county ;

Bill to authorize dams and embankments in the town of Byron, in Oxford county, to prevent the water of Swift river from injuring the public highway ;

Bill to amend chapter 75 of the public laws of 1878, entitled "an act to regulate and protect fisheries and the propagation of fish ;"

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

The Committae on Engrossed Bills, reported as truly and  
\*234 strictly engrossed the following \*bill and resolve :

An act revoking the city charter of Hallowell and for other purposes ;

Resolve confirming the location of lots reserved for public uses in the town of Blaine ;

This bill passed to be enacted and the resolve 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. PRINCE,

*Ordered*, That when the Senate adjourns it be to meet to-morrow morning at 9 o'clock.

On motion by Mr. MORRISON,

Bill additional to chapter 34 of the revised statutes, relating to auctions and auctioneers, was taken from the table.

The bill passed to be engrossed.

Sent down for concurrence.

On motion by Mr. PATTEN,

Bill authorizing the building a wharf at Emery's point, town of Hampden, was taken from the table.

The bill passed to be engrossed in concurrence.

On motion by Mr. BARKER,

Resolve in favor of the town of Mayfield, was taken from the table, and

On motion by Mr. COBB,

*Resolved*, That it be indefinitely postponed.

Sent down for concurrence.

Bill fixing the salaries of certain public officers and compensation of certain members of the \*government, was \*235 taken from the table, and

On motion by Mr. VINTON,

*Ordered*, That to-morrow be assigned for its first reading.

Subsequently the foregoing vote was reconsidered, the bill was read a first and second time the rules being suspended,

On motion by Mr. VINTON,

*Ordered*, That the bill be considered *seriatem*.

House amendment "A" to section 1, to amend by striking out "two thousand," and insert "fifteen hundred," was agreed to.

*Ordered*, That section 1, as amended stand as a part of the bill.

House amendment "B" to section 2, to amend by adding after the word "year," "commencing March first 1879, which shall be in full for all services," was considered.

Mr. VINTON proposed an amendment to the amendment, by striking out the word "March" and insert "April."

On motion by Mr. PRINCE,

The Senate passed to the consideration of section 8.

The same Senator proposed an amendment to amend said section by striking out all after the word "effect," and insert "April first 1879."

The amendment was disagreed to.

On motion by Mr. THOMAS,

The Senate resumed consideration of section 2.

Mr. VINTON'S proposed amendment to House \*amend- \*236 ment "B" was disagreed to.

House amendment "B" was agreed to.

Pending further consideration,

On motion by Mr. COBB,

Adjourned.

FRIDAY, FEBRUARY 7, 1879.

Prayer by the Chaplain.

The Journal of yesterday was approved.

Papers from the House :

Bill to amend section 6 of chapter 132 of the revised statutes relating to complaints entered and warrants issued by trial justices ;

Bill relating to the duties of county attorneys ;

Were referred to the Committee on Legal Affairs in concurrence.

Petition of W. J. Delano for redress of wrongs, was referred to the Committee on State Lands and State Roads in concurrence.

Bill additional to chapter 92 of the revised statutes, concerning mills and mill dams, passed to be engrossed by the Senate, came from the House recommitted to the Committee on the Judiciary ;

The Senate receded and concurred.

\*237 Report of the Committee on Legal Affairs, \*on bill to amend section 41, of chapter 4 of the revised statutes, relating to voting places on the islands in Portland, with the same in a new draft and that it ought to pass ;

Came from the House recommitted and was recommitted in concurrence.

Report of the Committee on Ways and Bridges, on the petition of Jesse Barker and others, for an appropriation in aid of building a road in the towns of Kingsbury and Abbott, that the same be referred to the Committee on State Lands and State Roads.

Report of the Committee on Legal Affairs, on bill in relation to itemized bill of costs before trial justices, that the same ought not to pass ;

Report of the Committee on Mercantile Affairs and Insurance, on bill to prevent over-insurance, that the same ought not to pass ;

Report of the Committee on Pensions, on the petition of William Poor for State pension, that the petitioner have leave to withdraw ;

Report of the Committee on Ways and Bridges, on the petition of A. B. Sumner and others, for repeal of section 65, chapter 18 of the revised statutes concerning roads, that the petitioners have leave to withdraw ;

Report of the same Committee, on the petition of Moses Riggs and others, for legislation vesting the franchise and property of Arrowsic bridge in the county of Sagadahoc, that the same be referred to the next Legislature ;

\*Report of the same Committee, on the petition of E. G. \*238 Harlow and others, for an appropriation for a bridge across the Androscoggin river at Dixfield, that the same be referred to the next Legislature ;

Report of the same Committee, on the petition of Andrew Miller and others, for an appropriation to build a bridge across Arrowsic river, that the same be referred to the next Legislature ;

Report of the same Committee, on the petition of Merrick Sawyer and others, for authority to lay out a way with suitable bridge across tide waters to Spruce Head Island in South Thomaston, that the same be referred to the next Legislature with an order of notice ;

Were accepted in concurrence.

Report of the Committee on Fisheries, on bill for the protection of lobsters, that the same ought to pass ;

Report of the same Committee, on the petition of Z. A. Gilbert and others, submitting a bill to prevent the taking of fish from Allen pond in the town of Greene in the county of Androscoggin ;

Report of the same Committee, on the petition of A. W. Penney and others, submitting a bill to protect trout in Branch river in the town of Wells, York county ;

Report of the Committee on Interior Waters, on the petition of W. A. Vaughn and others, submitting a bill to prevent the throwing of slabs and edgings into the Caribou stream \*in \*239 the town of Caribou ;

Report of the Committee on the Judiciary, on bill to make valid the doings of the Portland Widows Wood Society, that the same ought to pass ;

Report of the same Committee, on bill to amend an act to incorporate the Portland Widows Wood Society, that the same ought to pass ;

Report of the Committee on Railroads on bill to extend the time for locating and completing the Northern Aroostook Railroad, that the same ought to pass ;

Were accepted in concurrence, the bills read once, and to-morrow assigned for their second reading.

Report of the Committee on Temperance, on bill to amend section 5, chapter 204 of the public laws of 1877, that the same ought to pass, was accepted in concurrence, the bill read twice, and indefinitely postponed in concurrence.

Report of the Committee on Maine State Year Book, on an order relating to the purchase of the Maine State Year Book, submitting certain proposals of Messrs. Hoyt, Fogg & Donham, was read.

The Senate non-concurred in its acceptance, and

On motion by Mr. VINTON,

*Ordered*, That the report be recommitted.

Sent down for concurrence.

The order that the Committee on Civil Service Reform \*240 inquire into the expediency of \*reducing the salary of Senators and Representatives, passed by the Senate, came from the House amended by inserting after the word Representatives the following :

And if said Committee should deem such reduction expedient, they are hereby further instructed to inquire into the expediency of removing the capitol to Bangor or Portland, or to some town near the geographical centre of the State, where the compensation and mileage would pay at least one-half of their board bill and other expenses ;

Pending the question of receding and concurring,

On motion by Mr. ATWELL,

The order was indefinitely postponed.



A communication was received from Hon. E. H. Gove, Secretary of State, transmitting a report of the Governor and Council on bill of E. D. Wiggin for services rendered, which was read, and

On motion by Mr. VINTON,

*Ordered*, That the communication and accompanying papers be referred to the Committee on Claims.

Sent down for concurrence.

The following printed bill :

Bill to regulate the taking and shooting of pigeons, was read once and to-morrow assigned for its second reading.

Mr. THOMPSON, from the Committee on Education, on bill to establish a State Board of Examiners of teachers for the public schools, reported that the same ought not to pass. }

\*Mr. BARKER, from the Committee on State Lands and \*241 State Roads, on bill to reduce the valuation of township number 25, Middle Division, county of Washington, reported that the same ought not to pass.

Mr. HARRIS, from the Committee on Interior Waters, on the petition of Z. Chaffee, Trustee and others, for relief from maintaining a lock in the Kennebec Dam at Augusta, reported that the petitioners have leave to withdraw without prejudice to either party, there having been no hearing on the merits of the case.

These reports were accepted.

Sent down for concurrence.

Mr. THOMAS, from the Committee on State Lands and State Roads, on the petition of W. W. Dutton and others, reported bill to legalize the location of public lots in township E in Franklin county ;

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

Mr. ROBERTS, from the Committee on Claims, on resolve in favor of James Cousins, Jr., reported that the same ought to pass ;

Mr. PRINCE, from the Committee on State Lands and State Roads, on the petition of A. B. Farnham and others, reported resolve in favor of Alfred Veazie ;

Mr. THOMAS, from the Committee on the Judiciary, on bill relating to wharves and landings, reported that the same ought to pass ;

\*242 \*These reports were accepted, the resolves and bill each laid over to be printed under the Joint Rule.

The Committee on Bills in the Second Reading reported the following bills and resolve :

Bill to incorporate the Presque Isle and Maysville Railroad Company ;

Bill to make valid the doings of the town of Canton in the county of Oxford ;

Bill authorizing the Harpswell Gun Point Ice Company to build a dam across Mill Cove, in the town of Harpswell ;

Resolve in favor of Perkins and Washington plantations ;

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

Sent down for concurrence.

The same Committee reported the following bill :

Bill limiting the allowance for travel and attendance to parties recovering costs in the courts of this State ;

Which was read a second time, and

On motion by Mr. VINTON,

*Ordered*, That it lie on the table.

The same Committee also reported the following bill and resolves :

Bill to facilitate and equalize the transportation of freight and passengers over all railroads in the State ;

Resolve in favor of the Passamaquoddy Indians ;

\*243 Resolve in aid of the town of Byron \*in Oxford county ;

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

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The Committee on Engrossed Bills reported as truly and strictly engrossed the following bills and resolves ;

An act to amend section 1 of chapter 124 of the revised statutes ;

An act to make legal the doings of the Oquossoc Angling Association ;

An act to incorporate the Eliot Bridge Company ;

An act to authorize John Williams to remove remains from a burying ground ;

An act to amend chapter 139 of the public laws of 1873 ;

An act relating to school money in the city of Portland ;

An act to amend chapter 196 of the public laws of 1871, relating to river fisheries ;

An act to amend chapter 63 of the public laws of 1878, relating to the Maine Industrial School for girls ;

An act to authorize W. R. Sawyer to complete and extend an aqueduct in the town of Steuben ;

Resolve providing for distribution of stationery to members of the Legislature ;

These 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.

\*On motion by Mr. MORRISON,

\*244

The vote was reconsidered, whereby the Senate passed to be engrossed bill to amend chapter 75 of the public laws of 1878, entitled "an act to regulate and protect fisheries and the propagation of fish."

And on motion by the same Senator,

*Ordered*, That the bill lie on the table and that Tuesday next be assigned for its consideration.

On motion by Mr. ROBERTS,

The Senate resumed consideration of bill fixing the salaries of certain public officers and compensation of members of the government.

House amendment C, to section 2, to amend paragraph relating to Warden of State Prison, by striking out "eighteen" and insert "fifteen."

Was agreed to.

Mr. THOMAS offered the following amendment:

Amend section 2, by striking out all the words in lines 56 and 57, as printed in Senate document, No. 29, and insert in place thereof the words:

"The compensation of the railroad commissioners shall be five dollars a day while actually employed in their official duties, to be paid by the railroads on which the services are rendered."

And on motion by Mr. THOMAS,

*Ordered*, That the amendment lie on the table until the paragraph relating to the compensation of railroad commissioners is reached in the consideration of the said section 2.

\*245 \*On motion by Mr. MORRISON,

*Ordered*, That the bill lie on the table and that Tuesday next be assigned for its consideration.

On motion by Mr. VINTON,  
Adjourned.

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SATURDAY, FEBRUARY 8, 1879.

Prayer by the Chaplain.

The Journal of yesterday was approved.

Papers from the House:

Petition of Samuel Hawkins and others, for bounty on bears; also for change in game law, was referred to the Committee on Legal Affairs in concurrence.

Remonstrance of A. H. Barton and others, against relieving the proprietors of the Kennebec dam at Augusta from maintaining a lock in said dam, was referred to the Committee on Interior Waters in concurrence.

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Report of the Committee on Agriculture, on petition of James Averill and others, for a bounty on bears, that the petitioners have leave to withdraw ;

Report of the same Committee on petition of S. W. Tinkham and others, for a bounty \*on foxes, that the petitioners \*246 have leave to withdraw ;

Report of the same Committee, on the petition of John Fogler and others, to set off the town of Hope from the North Knox Agricultural Society and annex the same to the Knox Agricultural Society, that the petitioners have leave to withdraw ;

Report of the same Committee, on the petition of N. C. Locke and others, for a bounty on foxes, hawks and owls, that the petitioners have leave to withdraw ;

Report of the Committee on Education, on an order to examine into the expediency of amending section 87 of chapter 114 of the public acts of 1873, so that pupils attending the Normal schools of the State be required to pay a tuition ; also as to the expediency of repealing sections 1 and 2 of chapter 69 of the public acts of 1878, that legislation thereon is inexpedient ;

Report of the Committee on Financial Affairs, on an order relating to the suspension of the sinking fund for a term of years, that legislation thereon is inexpedient ;

Report of the Committee on the Judiciary, on a bill relating to the choice of Directors of Insurance Companies, that the same ought not to pass ;

Report of the same Committee, on bill to establish a municipal court in the town of Eastport, Washington county, that the same be referred to the next Legislature ;

Report of the Committee on Legal Affairs, \*on an order \*247 inquiring into the expediency of amending section 171, chapter 6 of the revised statutes relating to interest, that legislation thereon is inexpedient ;

Report of the same Committee, on an order inquiring into the expediency of repealing or amending section 148 of chapter 6 of the revised statutes, relating to overlay and abatement on taxes, that legislation thereon is inexpedient ;

Report of the same Committee, on a bill to amend chapter 133 of the revised statutes relating to trial justices, that the same ought not to pass ;

Report of the same Committee, on petition of Fountain Rodick and others, for charter for a telegraph and telephone line from Bar Harbor to Ellsworth, that the same be referred to the next Legislature ;

Report of the Committee on Mercantile Affairs and Insurance, on petition of J. C. Purrington and others, for the formation of a town fire insurance company, that legislation thereon is inexpedient ;

Report of the Committee on State Lands and State Roads, on petition of D. A. Sewall and others, for an appropriation to reimburse the town of Island Falls, in part of building bridge, that the petitioners have leave to withdraw ;

Report of the Committee on Towns, on petition of Ephrian Bartlett and others, praying that Dix, Crow and other islands be annexed to South Thomaston, that the petitioners have leave to withdraw ;

\*248 \*Report of the Committee on Temperance, on petition of Convention at Sebago Lake, for further legislation prohibiting the sale of intoxicating liquors, that the petitioners have leave to withdraw ;

Report of the same Committee, on an order relating to providing additional penalties against parties engaged in illegal transportation of intoxicating liquors, that legislation thereon is inexpedient ;

Report of the same Committee, on petition of A. Waterhouse and others, for an act to prevent the waste of liquors taken according to law, that the same be referred to the next Legislature ;

Were severally accepted in concurrence.

Report of the Committee on Change of Names, on petitions of Alice Gifford Tobey of Portland, and Henry A. Allen of Deering, to take the name of Alice Hall Davis and said Henry A. Allen to take the name of Frank H. Dexter, submitting a bill to change the names of Henry A. Allen of Deering and Alice Gifford Tobey of Portland ;

Report of the Committee on Interior Waters, on petition of R. E. Lyon for William D. Hayden, to navigate Madison pond for twenty years, submitting a bill for the navigation of Madison pond in county of Somerset, and that it ought to pass ;

Report of the Committee on the Judiciary, on bill relating to the Monmouth Mutual Fire Insurance Company, that the same ought to pass ;

\*Were accepted in concurrence, the bills each read once \*249 and Monday assigned for their second reading.

Report of 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, (from the files of 1878,) was referred to the Committee on Federal Relations in concurrence.

The following printed bill and resolve, to wit :

Bill to regulate the terms for jury trials in the superior court for the county of Cumberland, and to transfer the criminal jurisdiction of said court to the supreme judicial court ;

Resolve in favor of the Maine State College of Agriculture and Mechanic Arts ;

Were each read once and Monday assigned for their second reading.

Resolve in favor of Frank Albert, was read once, and

On motion by Mr. SMITH,

*Ordered*, That it lie on the table.

On motion by Mr. PATTEN,

*Ordered*, That the Secretary of State be requested to communicate to the Senate whether any proposals have been received by the Governor and Council, and if so, what, in regard to taking the Agricultural College at Orono under resolve, chapter 57, approved Feb. 19, 1878.

Mr. PRINCE, from the Committee on State \*Lands and \*250 State Roads on resolve in favor of Mrs. Ellebert Michaud, reported the same in a new draft, and that it ought to pass.

The same Senator, from the same Committee, on resolve in favor of Eugene Michaud, reported the same in a new draft and that it ought to pass.

Mr. COOMBS, from the Committee on Fisheries, on bill to repeal chapters 240 of the private and special laws of 1876, reported that the same ought to pass.

Mr. REDLON, from the Committee on Legal Affairs, on bill to amend section 1 of chapter 67 of the revised statutes, relating to guardians of minors, reported that the same ought to pass.

The same Senator, from the same Committee, on the petition of the town officers of Milbridge for certain volumes of Maine reports, reported resolve in favor of the town of Milbridge in the county of Washington.

The same Senator, from the same Committee, on the petition of Wm. T. Griffith and others, reported bill to amend chapter 27 section 26 of the public laws of 1878, in relation to Lime Rock and Slate.

Mr. COOMBS, from the Committee on Fisheries, on bill additional to chapter 75 of the public laws of 1878, entitled an act to regulate and protect fisheries and the propagation of fish, reported the same in a new draft under title of bill for the protection of smelts in Fore river in the county of Cumberland.

These reports were severally accepted and bills and resolves \*251 each laid over to be printed \*under the Joint Rule.

Mr. COOMBS, from the Committee on Fisheries on bill relating to togue or trout in Great Tunk pond in Hancock county, reported that the same ought to pass.

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

Mr. BRADFORD, from the Committee on Mercantile Affairs and Insurance, on bill relating to life insurance, submitted report of a majority of said Committee, that the bill ought not to pass.

Mr. PATTEN submitted report of a minority of said committee on the foregoing bill, that the same ought to pass.



Mr. PATTEN moved to amend the report of the majority by substituting therefor the report of the minority, and pending this question,

On motion by Mr. BRADFORD,

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

The Committee on Bills in the Second Reading, reported the following bills :

Bill to legalize the location of public lots in township E, in Franklin county ;

Bill to regulate the taking and shooting of pigeons ;

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

Sent down for concurrence.

The same Committee reported the following bill :

Bill for the protection of lobsters, which was read a second time, House amendment A was agreed to, and the bill as

\*amended passed to be engrossed in concurrence. \*252

The same Committee also reported the following bills :

Bill to extend the time for locating and completing the Northern Aroostook Railroad ;

Bill to protect trout in Branch river, in the town of Wells, York county ;

Bill to prevent the throwing of slabs and edgings into the Caribou stream in the town of Caribou ;

Bill to make valid the doings of the Portland Widows Wood Society ;

Bill to amend an act to incorporate the Portland Widows Wood Society ;

Bill to prevent the taking of fish from Allen pond in the town of Green, in the county of Androscoggin ;

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 :

An act to provide for the payment of the fees and expenses of referees.

This bill 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. MAYHEW,

*Ordered*, That when the Senate adjourns it be to meet on Monday next at 4:15 o'clock P. M.

On motion by the same Senator,

\*253 \*Adjourned.

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MONDAY, FEBRUARY 10, 1879.

Prayer by the Chaplain.

The Journal of Saturday was approved.

Orders from the House :

That the Committee on State Lands and State Roads inquire into the claim of John Anderson for timber cut on his lot in Island Falls, after the same had been contracted to him by land certificate ;

That the State Librarian be authorized to furnish the town of Haynesville with Maine reports, from vol. 58 to 64 inclusive, providing the numbers mentioned are now in the library ;

Were read and passed in concurrence.

Resolve in favor of Samuel B. Brown, was referred to the Committee on Financial Affairs in concurrence.

A bill in relation to hawkers and pedlers ; .

A bill amendatory of section 111, chapter 82 of the revised statutes, relating to costs in court ;

Were referred to the Committee on Legal Affairs in concurrence.

\*254 \*A bill to repeal section 87 of chapter 82 of the revised statutes, relating to witness and evidence, was referred to the Committee on the Judiciary in concurrence.

Report of the Committee on Legal Affairs, on an order relating to amending section 34, chapter 6 of the revised statutes, that the same be referred to the Committee on Banks and Banking ;

Report of the same Committee, on bill, an act additional relating to appeals in criminal cases, that the same be referred to the Committee on the Judiciary ;

Were accepted in concurrence.

Report of the Committee on Fisheries, on bill in relation to weekly close time for salmon and other fish in the Penobscot river, that legislation thereon is inexpedient ;

Report of the same Committee, on bill to regulate the building fish weirs on Penobscot bay or river, that legislation thereon is inexpedient ;

Report of the same Committee, on bill to amend section 12, chapter 75 of the laws of 1878, that the same be referred to the next Legislature ;

Report of the Committee on Legal Affairs, on an order relating to the liability of the State, under resolve approved February 21, 1878, chapter 78, laws of 1878, that legislation thereon is inexpedient ;

Report of the same Committee, on bill relating to the duties of County Attorneys, that the same ought not to pass ;

\*Report of the same Committee, on bill to amend section \*255 6 of chapter 132 of the revised statutes, relating to complaints entered and warrants issued by trial justices, that the same ought not to pass ;

Report of the same Committee, on petition of Charles Sawyer and others, for repeal of section 65, chapter 18 of revised statutes, and all amendments thereto relating to highways, that the petitioners have leave to withdraw ;

Report of the same Committee, on an order to inquire into the expediency of an act additional, relating to bail in criminal cases, that legislation thereon is inexpedient ;

Report of the same Committee, on an order relating to amending chapter 174 of the laws of 1877, relating to administrators and executors, so that the same may apply to guardians, that legislation thereon is inexpedient ;

Were severally accepted in concurrence.

Report of the Committee on Interior Waters, on an order inquiring into the expediency of re-enacting the act of 1853, relating to the St. Croix river, submitting a bill for better securing the navigation of the St. Croix river, that the same ought to pass ;

Report of the Committee on the Judiciary, on bill to amend an act additional to chapter 97 of the revised statutes, relating to bastard children and their maintenance, approved February 19, 1878, that the same ought to pass ;

Report of the Committee on Legal Affairs, on bill to incorporate the Moosehead Lake Telegraph Company, that the same ought to pass ;

\*256 \*Report of the same Committee, on bill to legalize the action of the town of Waterborough, providing for the funding of its debt, that the same ought to pass ;

Were accepted in concurrence, the bills each read once and to-morrow assigned for their second reading.

The following printed bills and resolves, to wit :

Bill relating to wharves and landings ;

Resolve in favor of James Cousins, Jr. ;

Resolve in favor of Alfred Veazie ;

Bill to amend chapter 185 of the public laws of 1877, relating to life insurance ;

Bill to amend chapter 27, section 26 of the public laws of 1878, in relation to lime rock and slate ;

Resolve in favor of Mrs. Ellebert Michaud ;

Were each read once and to-morrow assigned for their second reading.

A message was received from the House of Representatives by Mr. Curran of Calais, informing the Senate that in the absence of the Speaker, Wm. Dickey, Esq., of Fort Kent, has been chosen Speaker *pro tempore*.

Mr. MAYHEW presented a bill amendatory to an amended act incorporating the Kennebec Log Driving Company ;

Which was referred to the Committee on Interior Waters.

On motion by Mr. HAWES,

*Ordered*, That when the Senate adjourns, it be to meet to-morrow morning at nine o'clock.

Mr. BRADFORD, from the Committee on Mercantile Affairs and Insurance, on bill additional \*to the charter of \*257 the Union Mutual Life Insurance Company, reported the same in a new draft under title of an act to incorporate the Union Accident Insurance Company, and that it ought to pass ;

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

Mr. COOMBS, from the Committee on Temperance, submitted the final report of said Committee, that they have acted on 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 and resolves :

Bill relating to togue or trout in Great Tunk pond, in Hancock county ;

Bill to regulate the terms for jury trials in the superior court for the county of Cumberland, and to transfer the criminal jurisdiction of said court to the supreme judicial court ;

Resolve in favor of the Maine State College of Agriculture and Mechanic Arts ;

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

Subsequently Mr. Patten moved to reconsider the vote whereby the Senate passed to be engrossed the foregoing resolve in favor of the Maine State College of Agriculture and Mechanic Arts.

\*The motion was determined in the negative, yeas, 11 ; \*258 nays, 12.

On motion by Mr. ROBERTS,

The yeas and nays being desired by one-fifth of the Senators present. Those who voted in the affirmative are :

Messrs. Barker, Cobb, Duran, Ellis, Harris, Madigan, Moody, Parlin, Patten, Roberts, Thompson—11.

Those who voted in the negative are :

Messrs. Andrews, Atwell, Bradford, Coombs, Ferguson, Hawes, Morrison, Prince, Redlon, Rogers of Penobscot, Rogers of Sagadahoc, and Wait—12.

So the motion was disagreed to.

The foregoing bills and resolves were sent down for concurrence.

The same Committee reported the following bills :

Bill relating to the Monmouth Mutual Fire Insurance Company ;

Bill for the navigation of Madison pond, in the county of Somerset ;

Bill to change the names of Henry A. Allen of Deering, and of Alice Gifford Tobey of Portland.

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

On motion of Mr. REDLON,  
Adjourned.

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\*TUESDAY, FEBRUARY 11, 1879.

Prayer by the Chaplain.

The Journal of yesterday was approved.

Orders from the House :

That the Committee on State Lands and State Roads inquire into the claim of Hiram Daggett for stumpage of timber cut on his lot in number 11, range 1, Aroostook county, was read and passed in concurrence.

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Petition of Wm. Gray and others for change in the laws relating to mill dams, was referred to the Committee on the Judiciary in concurrence.

Resolve relating to sale of settling lands in Perham plantation, was referred to the Committee on State Lands and State Roads in concurrence.

Remonstrance of J. M. Benjamin and others ;

Remonstrance of Francis Fuller and others,—severally against the passage of bill concerning mills and mill dams ;

Were referred to the Committee on the Judiciary in concurrence.

Report of the Committee on Mercantile Affairs and Insurance, on bill to prevent over insurance, that the same ought not to pass, came up recommitted and was recommitted in concurrence.

Bill to authorize the association of the Alumni of Bowdoin College to convey Memorial \*Hall to the President and \*260 Trustees of Bowdoin College, introduced in the House, was read twice, the rules being suspended, and passed to be engrossed in concurrence.

Report of the Committee on Education, on an order submitting a bill concerning the education of deaf mutes ;

Report of the Committee on Fisheries, on bill relating to white perch in Dobsis stream, that the same ought to pass.

Report of the Committee on the Judiciary on bill additional to chapter 31 of the revised statutes, as amended by chapter 124 of the public laws of 1876, relating to agents and warehouse men, that the same ought to pass ;

Were accepted in concurrence, the bills each read once, and to-morrow assigned for their second reading.

The order directing the several Committees to report finally on the “tenth” instant, came from the House amended by striking out the word “tenth” and inserting “fifteenth” and passed.

The Senate receded and concurred.

The following printed bills and resolves, viz :

Resolve in favor of the town of Milbridge, in the county of Washington ;

Bill to amend section one of chapter 67 of revised statutes relating to guardians of minors ;

\*261 Bill to repeal chapter 240 of the private \*and special laws of 1876 ;

Resolve in favor of Eugene Michaud ;

Were each read once, and to-morrow assigned for their second reading.

Mr. COBB presented a bill to authorize the Lake Auburn Mineral Spring Company to navigate Wilson Pond, which was referred to the Committee on Interior Waters.

Mr. VINTON presented the remonstrance of citizens of Portland against the porgie bill, and

*Ordered*, That it lie on the table.

On motion by Mr. VINTON,

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

That the State Librarian be authorized to furnish the town of Haynesville with Maine Reports, from No. 58 to 64 inclusive, provided the numbers mentioned are now in the Library ;

And on motion by Mr. PATTEN,

*Resolved*, That the order be indefinitely postponed.

Sent down for concurrence.

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

Bill to incorporate the Maine Accidental Insurance Company ;  
Which was read a second time, and

On motion by Mr. BRADFORD,

*Ordered*, That it lie on the table.



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The same Committee also reported the following bill :

\*Bill relating to wharves and landings ; \*262

Which was read a second time, and passed to be engrossed.

Sent down for concurrence.

The same Committee also reported the following bill :

Bill to amend chapter 185 of the public laws of 1877, relating to life insurance ;

Which was read a second time, and

On motion by Mr. BRADFORD,

*Ordered*, That it lie on the table.

The same Committee also reported the following bill and resolves :

Bill to amend chapter 22, section 26 of the public laws of 1878, in relation to lime rock and slate ;

Resolve in favor of James Cousins, Jr. ;

Resolve in favor of Alfred Veazie ;

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

Sent down for concurrence.

The same Committee also reported the following resolve :

Resolve in favor of Mrs. Ellebert Michaud ;

Which was read a second time, and

On motion by Mr. PATTEN,

*Resolved*, That it be indefinitely postponed.

Sent down for concurrence.

The same Committee reported the following bill :

Bill for better securing the navigation of the St. Croix river ;

Which was read a second time, and passed to be engrossed in concurrence.

\*The same Committee also reported the following bill : \*263

Bill to amend an "act additional to chapter 97 of the revised statutes, relating to bastard children and their maintenance," approved February 19, 1878 ;

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 bills :

Bill to incorporate the Moosehead Lake Telegraph Company ;

Bill to legalize the action of the town of Waterborough, providing for the funding of its debt ;

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

The Senate resumed consideration of bill fixing the salaries of certain public officers, and compensation of certain members of government.

House amendment "D" to section 2, to amend in paragraph relating to Judges of the Supreme Judicial Court, by adding: "And whenever there shall be a vacancy in the office of a Judge of the Supreme Judicial Court by death, resignation or otherwise, there shall be no appointment to fill the same, but the number of judges of said court, shall thereafter be limited to seven," was agreed to.

Mr. MORRISON proposed to amend section 2, in paragraph relating to Judges of the Supreme Judicial Court by striking out the words "two thousand" and insert in place thereof the words "three thousand."

And on the question of its adoption it was determined in the negative, yeas, 5, nays, 23.

On motion by Mr. BARKER,

The yeas and nays being desired by one-fifth of the Senators present. Those who voted in the affirmative are :

Messrs. Andrews, Madigan, Morrison, Rogers of Sagadahoc and Smith,—5.

Those who voted in the negative are :

Messrs. Atwell, Barker, Bradford, Chase, Cobb, Coombs, Ellis, Furguson, Harris, Hawes, Linn, Mayhew, Moody, Parlin, Patten,

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Prince, Redlon, Roberts, Rogers of Penobscot, Thomas, Thompson, Vinton and Wait—23.

So the amendment was disagreed to.

The paragraph relating to Judges of the Supreme Judicial Court, as amended by the House, was agreed to.

House amendment "E" to section 2, to amend said section in paragraphs relating to Attorney General, by adding "expenses and travel," was agreed to. The paragraph as amended by the House was agreed to.

The paragraph relating to Railroad Commissioners was considered, the question being on the amendment proposed by Mr. Thomas :

"The compensation of the Railroad Commissioners shall be five dollars a day, while actually employed in their official duty to be \*paid by the railroads on which the services are \*265 rendered."

Pending this question, on motion by Mr. BARKER,

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

On motion by Mr. ROGERS of Sagadahoc,

*Ordered*, That the Secretary of State furnish the Legislature with the number of clerks now employed by him, their names, stations, and pay, also by what authority he so employs.

On motion by Mr. ATWELL,

*Ordered*, That when the Senate adjourns it be to meet tomorrow morning at nine o'clock.

On motion by Mr. HARRIS,

Adjourned.

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WEDNESDAY, FEBRUARY 12, 1879.

Prayer by the Chaplain.

The Journal of yesterday was approved.

Papers from the House :

Petition of Elden Burkett and others, for State pension to Benjamin Smith, was referred to the Committee on Pensions in concurrence.

\*266 \*Bill to prevent the throwing of edgings and other refuse into the waters of the Presumpscot river, was referred to the Committee on Commerce in concurrence.

Report of the Committee on the Judiciary, on bill to amend chapter 6 of the revised statutes, (relating to interest on taxes,) that the same ought to pass, came up recommitted and was recommitted in concurrence.

Report of the Androscoggin County Delegation, on an order relating to salaries of county officers, submitting certain recommendations, and that the same be referred to Committee on Civil Service Reform, was accepted in concurrence.

Report of the Committee on Legal Affairs, on an order relating to amending section 2 of chapter 61 of the public laws of 1872, that legislation thereon is inexpedient ;

Report of the same Committee, on bill additional relating to practise in courts, that the same be referred to the Committee on the Judiciary ;

Were accepted in concurrence.

Report of the Committee on Temperance, on bill to amend chapter 27, section 22 of the revised statutes, as amended by chapter 215 of the public laws of 1877, that the same ought not to pass, came from the House accepted.

Report of of a minority of said Committee on the foregoing bill, that the same ought to pass, came up indefinitely postponed.

On motion by Mr. COOMBS,

*Ordered*, That the foregoing reports lie on the table.

\*Report of the Androscoggin County Delegation, on bill to \*267  
authorize the county of Androscoggin to procure a loan,  
with the same in a new draft and that it ought to pass ;

Report of the Committee on Financial Affairs, on bill to provide  
in part for the expenditures of government, that the same ought  
to pass ;

Report of the Committee on Fisheries, on the petition of  
George A. Drew and others, submitting a bill to prevent the tak-  
ing of fish from the tributaries of Wilson Pond in the city of  
Auburn for the term of five years ;

Report of the same Committee, on the petition of Henry Car-  
vill and others, submitting a bill relating to the taking of smelts  
in the Androscoggin river above Merrymeeting bay bridge ;

Report of the Committee on Indian Affairs, on petition of the  
Passamaquoddy Indians, submitting resolve relating to survey  
and lease of lots on Indian township in Washington county ;

Report of the Committee on the Judiciary, on the petition of  
Seth Spaulding and others, submitting bill to amend chapter 18  
of the revised statutes, relating to ways in places not incorpor-  
ated ;

Report of the Committee on Legal Affairs, on an order relat-  
ing to property exempt from attachment and execution, submit-  
ting bill to exempt domestic fowl from attachment and execu-  
tion ;

Report of the same Committee, on bill to \*authorize the \*268  
inhabitants of school district number nine in the town of  
Kittery, to elect a district treasurer, that the same ought to pass ;

Report of the same Committee, on bill to secure and protect the  
rights of creditors against copartnership firms and companies,  
with the same in a new draft, and that it ought to pass ;

Report of the Committee on Railroads, on bill to amend chap-  
ter 207 of the public laws of the year 1877, entitled "an act to  
obtain uniform returns from railroad corporations," that the same  
ought to pass ;

Were accepted in concurrence, the bills and resolves each read once, and to-morrow assigned for their second reading.

The following printed bill, viz :

Bill for the protection of smelts in Fore river, in the county of Cumberland, was read once and to-morrow assigned for its second reading.

The following communication was received from the Secretary of State :

*To the President of the Senate :*

In answer to Senate order under date of Feb. 11th, I submit the following :

Now employed in this department: 1st clerk, Henry M. Pishon, salary \$1300 ; 2d clerk, E. S. Morris, salary \$1200.

For the session: J. R. Milliken, sum paid in 1878, \$236 ; Henry L. Chase, \$96.

\*269 \*No change has been made in number or pay, which are supposed to have been fixed under the provisions of the revised statutes, chapter 2, section 34.

I have the honor to be,

your obedient servant,

(Signed) E. H. GOVE, *Secretary of State.*

Mr. HAWES, from the Committee on Financial Affairs, on the petition of Charles Hoxie and others of Orneville, that said town may be relieved from its pauper debt, reported that the same be referred to the next Legislature ;

Mr. BARKER, from the Committee on State Lands and State Roads, on the petition of Napoleon Levasseur and others, for an appropriation to build a bridge over Violette brook in Van Buren plantation, reported that the petitioners have leave to withdraw ;

Mr. PRINCE, from the same Committee, on the petition of Jesse Barker and others, for an appropriation to assist in building a road in the town of Mayfield, reported that the petitioners have leave to withdraw ;

These reports were accepted.

Sent down for concurrence.

Mr. VINTON, from the Committee on the Judiciary, on an order relating to so amending the constitution as to abolish the Executive Council, reported that legislation thereon is inexpedient ;

The same Senator, from the same Committee, on resolve concerning an amendment of the \*Constitution of Maine, \*270 relating to election of Governor by plurality vote, reported that it ought not to pass ;

Pending the acceptance of these reports,

On motion by Mr. ELLIS,

*Ordered*, That they lie on the table.

Mr. VINTON, from the Committee on the Judiciary, on bill authorizing Albert M. Bradley to dredge and navigate China pond, reported that the same ought to pass.

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

Mr. REDLON, from the Committee on Agriculture, on the petition of Marcus W. True and others, reported the following bill and resolve, viz :

Bill for the appointment of a State Geologist ;

Resolve relating to the printing the reports of the State Geologist ;

Mr. VINTON, from the Committee on the Judiciary, on bill additional to chapter 6 of the revised statutes, relating to suits for lands sold for non-payment of taxes, reported that the same ought to pass ;

Mr. MORRISON, from the same Committee, on bill to punish tramps, reported the same in a new draft and that it ought to pass ;

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

Mr. PATTEN, from the Committee on Indian Affairs, submitted final report of said Committee \*that they have \*271 acted on all matters referred to them.

Mr. BRADFORD, from the Committee on Mercantile Affairs and Insurance, made a similar report.

Mr. MAYHEW, from the Committee on Towns, made a similar report.

These reports were accepted.

Sent down for concurrence.

The Committee on Bills in the Second Reading, reported the following bills and resolves :

Bill to amend section 1 of chapter 67 of revised statutes, relating to guardians of minors ;

Bill to repeal chapter 240 of the private and special laws of 1876 ;

Resolve in favor of the town of Milbridge, in the county of Washington ;

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

Sent down for concurrence.

The same Committee reported the following resolve :

Resolve in favor of Eugene Michaud ;

Which was read a second time, and

On motion by Mr. BARKER,

*Ordered*, That it lie on the table.

The same Committee reported the following bills :

Bill concerning the education of deaf mutes ;

Bill relating to white perch in Dobsis stream ;

Bill additional to chapter 31 of the revised statutes, as  
\*272 amended by chapter 124 of the \*public laws of 1876, relating to agents and warehouse men ;

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 and resolves :

An act relating to testimony of persons accused of crime ;

An act relating to crimes formerly capital ;



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An act to authorize Horace Cole to navigate Pennesawassee pond and lake by steam ;

An act to make legal and valid the doings of the inhabitants of Chapman plantation in the county of Aroostook ;

An act to prevent the adulteration of sugar and molasses ;

An act authorizing the building a wharf at Emery's point, town of Hampden ;

An act to authorize Rodney C. Barker to navigate Mattawamkeag lake and river by steam or horse power ;

An act concerning the taking of fish in Gay brook in the town of Casco, Cumberland county ;

An act to amend chapter 67 of the public laws of 1878 ;

An act authorizing Charles H. Donworth to extend his wharf into the waters of the Machias river ;

An act to amend chapter 22 section 6 of the revised statutes of 1871 ;

Resolve in favor of the town of Gouldsborough ;

\*Resolve in favor of James Moore and David Moore of \*273 number 11, range 1 plantation ;

Resolve to facilitate the settlement of public lands and closing the land office ;

An act to prevent the taking of fish from Allen pond in the town of Green, in the county of Androscoggin ;

An act to protect trout in Branch river in the town of Wells, York county ;

An act to incorporate the Androscoggin Telegraph Company ;

An act to make valid the doings of the Portland Widows Wood Society ;

An act to extend the time for locating and completing the Northern Aroostook Railroad ;

An act to facilitate and equalize the transportation of freight and passengers over all railroads in the State ;

An act to prevent the throwing of slabs and edgings into the Caribou stream in the town of Caribou ;

These bills were each passed to be enacted, and the resolve 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. MORRISON,

Bill to amend chapter 75 of the public laws of 1878, entitled "an act to regulate and protect fisheries and the propagation of fish," was taken from the table.

The bill passed to be engrossed in concurrence.

On motion by Mr. VINTON,

\*274 Bill limiting the allowance for travel and \*attendance to parties recovering costs in the courts of this State, was taken from the table.

The bill passed to be engrossed in concurrence.

On motion by Mr. ATWELL,

Bill to supply the people of Fryeburg village with pure water, was taken from the table, read a first and second time, the rules being suspended and, passed to be engrossed.

On motion by Mr. SMITH,

Resolve in favor of Frank Albert, was taken from the table, and read a second time, the rules being suspended, and

*Resolved*, That it be indefinitely postponed.

Sent down for concurrence.

On motion by Mr. PRINCE,

The vote was reconsidered whereby the Senate indefinitely postponed resolve in favor of Mrs. Ellebert Michaud, and

On motion by Mr. BARKER;

*Ordered*, That it lie on the table.

On motion by Mr. ROGERS of Sagadahoc,

The Senate resumed consideration of bill fixing the salaries of certain public officers and compensation of certain members of the government.

The amendment to section 2, offered by Mr. THOMAS, marked Senate No. 1, to paragraph relating to Railroad Commissioners, was agreed to.

Section 2, as amended, was agreed to.

Section 3 was agreed to.

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House amendment "F," to section 4 to amend by striking out said section \*and insert: \*275

The salary of the Bank Examiner shall be nine hundred dollars per annum in full;

The salary of the Insurance Commissioner shall be nine hundred dollars per annum in full,

Was agreed to.

House amendment "G" to section 6, to amend in line two, by striking out the word "three" and insert the word "two," was agreed to.

Section 6, as amended, was agreed to.

The several sections and paragraphs not previously acted on were agreed to, and the bill as amended passed to be engrossed.

Sent down for concurrence.

On motion by Mr. MOODY,  
Adjourned.

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THURSDAY, FEBRUARY 13, 1879.

Prayer by Rev. MR. IVES of Castine.

The Journal of yesterday was approved.

Papers from the House:

Resolve relating to the Plaisted and Appleton Digest, was referred to the Committee on Legal Affairs in concurrence.

Report of the Committee on Financial Affairs, \*on bill to \*276 amend an act to incorporate the Maine General Hospital, that the same ought not to pass;

Report of the Committee on the Judiciary, on an order relating to applying to the Supreme Judicial Court a rule that actions shall be tried by the court, unless a jury is specially called for, either by the plaintiff or the defendant, that legislation thereon is inexpedient;

Report of the Committee on State Lands and State Roads, on an order relating to claim of John Anderson for timber cut on his lot in Island Falls, that legislation thereon is inexpedient ;

Report of the same Committee, on an order relating to claim of Hiram Daggett for timber cut on his lot in No. 11, Range 1, Aroostook county, that legislation thereon is inexpedient ;

Report of the same Committee, on petition of O. R. Sivois and others of Madawaska, for an appropriation to build a bridge across the Martin stream in said town, that the petitioners have leave to withdraw ;

Report of the same Committee, on petition of W. Y. Delano, for redress of wrongs, that the petitioner has leave to withdraw ;

Report of the Committee on Ways and Bridges, on bill to amend section 39, chapter 18, revised statutes, relating to ways, that the same ought not to pass ;

Were severally accepted in concurrence.

Report of the Committee on Legal Affairs, on petition of E.

H. Greely and others. praying that land may be taken for  
\*277 Cemetery purposes, \*submitting a bill to enable the Woodbine Cemetery Association of Ellsworth to take lands for Cemetery purposes, that the same ought to pass ;

Report of the same Committee, on petition of John M. Ludden and others, of school district No. 7, in the town of Dixfield, that the doings of said district may be legalized, submitting a bill to legalize the doings of school district No. 7, in the town of Dixfield ;

Report of the same Committee, on bill to prevent disturbance of public assemblies, with 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 same Committee on bill to amend section 41, of chapter 4 of the revised statutes relating to voting places on the islands in Portland, with the same in a new draft and that it ought to pass. was accepted, the bill read twice, the rules being suspended and passed to be engrossed in concurrence.

The following printed bills :

Bill to punish tramps ;

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Bill additional to chapter 6 of the revised statutes, relating to suits for lands sold for non-payment of taxes ;

Were each read once, and to-morrow assigned for their second reading.

Mr. ROBERTS presented a bill to amend section 4 of chapter 359 of the private and special \*laws of the year \*278 1877, which was referred to the Committee on Legal Affairs ;

Mr. ROGERS of Penobscot presented resolve in favor of the Joint Standing Committee on Agriculture ;

Mr. HAWES presented resolve in favor of the Joint Standing Committee on Reform School ;

These resolves were each read twice, the rules being suspended and passed to be engrossed.

Sent down for concurrence.

On motion by Mr. VINTON,

*Ordered*, The House concurring, the Legislature will adjourn finally on Friday, February 21.

Mr. SMITH, from the Committee on Insane Hospital, on certain papers referred from the last Legislature, relating to building a new insane hospital, reported that legislation thereon is inexpedient.

The report was accepted.

Sent down for concurrence.

Mr. SMITH, from the same Committee, submitted resolve in favor of the Insane Hospital.

Mr. THOMAS, from the Committee on Railroads, on bill additional to chapter 51 of the revised statutes, reported that the same ought to pass.

Mr. BARKER, from the Committee on State Lands and State Roads, on the petition of Daniel Miller and others, reported resolve in aid of a road leading from Kingfield to Eustis in Franklin county.

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

\*279 \*Bill for the protection of smelts in Fore river in the county of Cumberland;

Bill authorizing Albert M. Bradley to dredge and navigate China pond;

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

Sent down for concurrence.

The same Committee reported the following bills:

Bill to authorize the inhabitants of school district number nine, in the town of Kittery, to elect a district treasurer;

Bill relating to the taking of smelts in the Androscoggin river above Merrymeeting bridge;

Bill to prevent the taking of fish from the tributaries of Wilson pond in the city of Auburn, for the term of five years;

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

The same Committee also reported the following bill:

Bill to secure and protect the rights of creditors against copartnership firms and companies, which was read a second time, and

On motion by Mr. THOMPSON,

*Ordered*, That the bill be indefinitely postponed.

Sent down for concurrence.

The same Committee also reported the following bill:

Bill to amend chapter 18 of the revised statutes, relating to ways in places not incorporated, which was read a second time,

House amendments "A" and "B" were agreed to, and the  
\*280 bill as \*amended passed to be engrossed in concurrence.

The same Committee also reported the following bills and resolves:

Bill to amend chapter 207 of the public laws of the year 1877, entitled "an act to obtain uniform returns from railroad corporations;"

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Bill to authorize the county of Androscoggin to procure a loan ;  
Bill to exempt domestic fowl from attachment and execution ;  
Resolve relating to survey and lease of lots on Indian township  
in Washington county ;  
Bill to provide in part for the expenditures of government ;  
Which were each read a second time and passed to be engrossed  
in concurrence.

Mr. MOODY, from the Committee on Commerce, submitted  
final report of said Committee that they have acted on all matters  
referred to them.

Mr. COBB, from the Committee on Manufactures, made a sim-  
ilar report.

Mr. THOMAS, from the Committee on Railroads, made a  
similar report.

These reports were accepted.

Sent down for concurrence.

On motion by Mr. BRADFORD,

The report of the Committee on Mercantile Affairs and Insur-  
ance, on bill relating to life insurance, that the same ought not to  
pass, was taken from the table.

The question being on the motion to amend the report, by sub-  
stituting the minority report that the bill ought to pass, pending  
this question ;

On motion by Mr. PATTEN,

*\*Ordered*, That the reports lie on the table and be printed \*281  
with the accompanying bill.

On motion by Mr. COOMBS,

Report of the Committee on Temperance, on bill to amend  
chapter 27, section 22 of the revised statutes, as amended by chap-  
ter 215 of the public laws of 1877, that the same ought not to  
pass, was taken from the table.

The same Senator moved to amend the report of the majority by substituting therefor the report of the minority, that the bill ought to pass.

The motion was determined in the negative.

The report was accepted in concurrence.

On motion by Mr. ELLIS,

Reports of the Committee on the Judiciary, on resolve concerning an amendment of the Constitution of Maine, relating to election of Governor by plurality vote, that the same ought not to pass :

Also on an order relating to so amending the Constitution as to abolish the Executive Council, that legislation thereon is inexpedient ;

Were taken from the table, and respectively accepted.

Sent down for concurrence.

On motion by Mr. HAWES,

Adjourned.

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\*FRIDAY, FEBRUARY 14, 1879.

Prayer by the Chaplain.

The Journal of yesterday was approved.

Papers from the House :

Petition of Moses A. Safford and others, for York county to be allowed the sum of three hundred dollars for clerk hire in addition to the salary now proposed, was referred to the Committee on Civil Service Reform in concurrence.

Resolve relating to termination of articles 18 and 21 of the treaty of 1871 with Great Britain, was referred to the Committee on Federal Relations in concurrence.

Bill to amend section 3, of chapter 83 of the revised statutes, relating to trial justices, was referred to the Committee on the Judiciary in concurrence.



Resolve in favor of the town of Haynesville, was referred to the Committee on Library in concurrence.

Report of the Committee on Agriculture, on petition of R. W. Perry and others, to set off the town of Lincolnville from the Waldo Agricultural Society, and annex the same to the Knox Agricultural Society, that the same be referred to the next Legislature.

Report of the Committee on Commerce, on bill to prevent the throwing of edgings and \*other refuse into the waters \*283 of the Presumpscot river, that the same be referred to the next Legislature, with order of notice, was accepted in concurrence.

Report of the Committee on Civil Service Reform, on an order to inquire into the expediency of reductions, alterations, etc., in fees and costs, submitting a bill to repeal chapter 108, of the public laws of 1876, relating to fees, was accepted, the bill read once, and

On motion by Mr. HAWES,

*Ordered*, That it lie on the table.

Report of the Committee on Indian Affairs, on petition of Stephen Stanislaus and others, of the Penobscot Indians, praying that the time of holding their annual elections may be changed, submitting resolve fixing the time of holding annual elections;

Report of the Committee on the Judiciary, on petition of E. B. Hervey and others, for an amendment of the city charter of Calais, submitting bill to amend the charter of the city of Calais;

Report of the same Committee on petition of G. H. Guild and others, for a change in the law relating to liens on vessels, submitting a bill in relation to liens on vessels;

Report of the Committee on Legal Affairs, on bill to amend chapter 48 of the revised statutes relative to corporations under the general law, that the same ought to pass;

Were accepted in concurrence, the bills and resolves each read once and to-morrow assigned for their second reading.

Bill relating to wharves and landings, passed \*to be \*284 engrossed by the Senate, came from the House amended per sheet "A," and passed to be engrossed;

The Senate recessed, agreed to the amendment and passed the bill to be engrossed in concurrence.

Bill to amend chapter 27, section 26 of the public laws of 1878, in relation to lime rock and slate, passed to be engrossed by the Senate, came from the House recommitted to the Committee on Legal Affairs, and

On motion by Mr. REDLON,  
*Ordered*, That it lie on the table.

The following printed bills and resolves, viz :

Bill for the appointment of a State Geologist :

Resolve relating to the printing the reports of the State Geologist ;

Bill additional to chapter 51 of the revised statutes ;

Resolve in favor of the Insane Hospital ;

Were each read once and to-morrow assigned for their second reading.

Mr. MORRISON presented a bill to amend chapter 93 of the private and special laws of 1878, which was referred to the Committee on the Judiciary.

Sent down for concurrence.

Mr. FERGUSON presented 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.

\*285 \*Mr. ELLIS presented resolve relating to national affairs, which was referred to the Committee on Federal Relations.

Sent down for concurrence.

On motion by Mr. MAYHEW,

*Ordered*, That the use of the Senate Chamber be tendered to the Maine Beet Sugar Company on Saturday afternoon, February 15th, for the purpose of a lecture from Dr. Henry B. Blackwell of Boston.

Mr. FERGUSON, from the Committee on Education, on the memorial in relation to the pine on the State Seal, reported that the same be referred to the next Legislature ;

Mr. VINTON, from the Committee on the Judiciary, on an order relating to reducing the number of Senators and Representatives, reported that legislation thereon is inexpedient ;

The same Senator, from the same Committee, on an order requesting said committee to inquire into the contract on State printing, reported " that it is the opinion of the Committee that the subject matter of said order does not come within the proper and legitimate functions of the committee ;"

Mr. PRINCE, from the Committee on State Lands and State Roads, on the petition of Geo. A. Sponberg for deed of land in New Sweden, reported that the same be referred to the next Legislature.

Mr. BARKER, from the same Committee, on resolve authorizing the conveyance of lands in the north half of township No. 17, Range 6, W. E. L. S., also on resolve in favor of William Lovely \*of Mapleton plantation, reported that legislation thereon is inexpedient. \*286

Mr. PRINCE, from the same Committee, on the petition of Amasa Howe and others, praying that settling duties be waived on certain lots of land, reported that legislation thereon is unnecessary, the subject matter of said petitions having been covered by a general resolve.

Mr. ATWELL, from the Committee on Interior Waters, on bill to authorize the Lake Auburn Mineral Spring Company to navigate Wilson pond, reported that the same be referred to the next Legislature, with an order of notice.

Mr. HARRIS, from the same Committee, on the petition of Charles W. Howard, for extension of time to dredge bars and navigate Rangely lake, 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. HARRIS, from the Committee on Interior Waters, on bill amendatory to an amended act incorporating the Kennebec Log Driving Company, approved March 5, 1869, reported that the same ought to pass.

Mr. THOMAS, from the Committee on the Judiciary, on bill to amend section 1, of chapter 114 of the private laws of 1872, entitled an act to amend the charter of the city of Lewiston, reported the same in a new draft and that it ought to pass;

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

\*Mr. ROGERS, of Sagadahoc, from the Committee on \*287 Financial Affairs, on an order relating to transfer of the sums of money raised by the "mill tax" for school purposes into the State Treasury, reported bill in relation to payment of the State debt;

Mr. VINTON, from the Committee on the Judiciary on bill to amend section 10 of chapter 77 of the revised statutes, reported that the same ought to pass;

The same Senator, from the same Committee, on bill additional to chapter 92 of the revised statutes, concerning mills and mill dams, reported the same in a new draft and that it ought to pass;

Mr. MORRISON, from the Committee on State Prison, on the report of the Inspectors and Warden of the State Prison, reported resolve in favor of the State Prison;

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

Mr. WAIT, from the Committee on Agriculture;

Mr. FERGUSON, from the Committee on Education;

Mr. HARRIS, from the Committee on Interior Waters;

Mr. PRINCE, from the Committee on State Lands and State Roads;

Mr. MADIGAN, from the Committee on Ways and Bridges, respectively submitted final reports of the several Committee, that they have acted on all matters referred to them.

The Committee on Bills in the Second Reading \*reported \*288 the following bills :

Bill to punish tramps ;

Bill additional to chapter 6 of the revised statutes, relating to suits for lands sold for non-payment of taxes ;

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

Sent down for concurrence.

The same Committee reported the following bills :

Bill to enable the Woodbine Cemetery Association of Ellsworth to take lands for cemetery purposes ;

Bill to legalize the doings of School District No. 7, in the town of Dixfield ;

Bill to prevent disturbance in public assemblies ;

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

On motion by Mr. BRADFORD,

Bill to amend chapter 185 of the public laws of 1877, relating to life insurance, was taken from the table and passed to be engrossed in concurrence.

On motion by Mr. MAYHEW,

The Senate took a recess until 12 o'clock.

TWELVE O'CLOCK, M.

Mr. ANDREWS, from the Committee on Military Affairs, presented reports submitting the following resolves :

Resolve making appropriations for the \*support of the \*289 Military Asylum at Bath ;

Resolve making appropriations for the St. Elizabeth Orphan Asylum of Portland ;

Resolve in favor of the Female Orphan Asylum of Portland ;

Resolve making appropriations for the Children's Home at Bangor ;

Resolve making appropriation for uniforming the Volunteer Militia.

The reports were accepted and the resolves each laid over to be printed under the joint rule.

On motion by Mr. ATWELL,  
Adjourned.

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SATURDAY, FEBRUARY 15, 1879.

Prayer by the Chaplain.

The Journal of yesterday was approved.

Papers from the House :

Report of the Committee on Claims, on petition of Mrs. Samuel Lawson, for claim for stumpage on timber cut on lot No. 112, Township 11, Range 3, Aroostook county, that the same be referred to the next Legislature ;

Report of the Committee on the Judiciary, on bill to facilitate the speedy determination of \*cases in the Supreme Judicial Court, that the same ought not to pass ;

Report of the same Committee, on bill in addition to chapter 96 of the revised statutes, relating to mortgages, that the same ought not to pass ;

Report of the same Committee, on bill to enable parties to obtain judgment in certain cases where it is doubtful, that the same ought not to pass ;

Report of the same Committee, on bill to repeal section 87, chapter 82 revised statutes, relating to witnesses and evidence, that the same ought not to pass ;

Report of the same Committee, on bill to authorize the courts to grant new trials, with petition of T. R. Simonton and others, that the same ought not to pass ;

Report of the same Committee, on bill to authorize the taking of depositions in short hand, that the same ought not to pass ;

Report of the same Committee, on an order relating to establishing uniform rules to establish and simplify proceedings in equity, that legislation thereon is inexpedient ;

Report of the same Committee, on an order relating to the expediency of repealing sections 2 and 3 of chapter 118, revised statutes, defining the degrees of the crime of murder, that legislation thereon is inexpedient ;

Report of the same Committee, on an order relating to the expediency of amending section 14, chapter 134 of the revised statutes, so that counsel for the accused in cases formerly capital, \*may be assigned by the court and paid by the \*291 State, that legislation thereon is inexpedient ;

Report of the Committee on Railroads, on so much of the Governor's Message as refers to railroads, that legislation thereon is inexpedient ;

Were accepted in concurrence.

Report of the Committee on Fisheries, on bill to amend chapter 66 of the public laws 1878, relating to shore fisheries ; also petitions asking the enactment of laws prohibiting the taking of porgies by steamers and other vessels with seines in the waters of Maine, submitting a bill in a new draft to amend chapter 66 of the public laws of 1878, relating to the shore fisheries, that it ought to pass ;

Report of the Committee on Railroads, on bill concerning the Portsmouth, Great Falls and Conway Railroad, that the same ought to pass ;

Were accepted, the bills each read once and Monday assigned for their second reading.

Report of the Committee on the Judiciary, on bill 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

On motion by Mr. BRADFORD,

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

Report of the Committee on Agriculture, on resolve for a Committee of Inquiry, concerning changes in the course of instruction in the State College of Agriculture and \*the \*292 Mechanic Arts, that the same be referred to the Governor and Council, was accepted in concurrence.

Report of the Committee on Education, on an order relating to the repeal of chapter 115 and chapter 124 of the public laws of 1873, together with all subsequent amendments thereto in relation to free high schools, that legislation thereon is inexpedient, came from the House amended by substituting the report of a minority of the Committee, submitting a bill to repeal chapters 115 and 124 of the acts of 1873, and pending the question of concurring in the adoption of the amendment,

On motion by Mr. FERGUSON,

*Ordered*, That the report lie on the table and that Tuesday next be assigned for its consideration.

The following printed resolve :

Resolve in aid of a road leading from Kingfield to Eustis, in Franklin county, was read once and Monday assigned for its second reading.

Mr. SMITH, from the Committee on Insane Hospital, on certain reports of municipal officers, relating to insane and idiotic persons, reported that legislation thereon is inexpedient.

Mr. VINTON, from the Committee on the Judiciary, on bill to relieve mortgaged real estate from double taxation, reported that the same ought not to pass.

These reports were accepted.

Sent down for concurrence.

\*293 Mr. MORRISON, from the same Committee \*on bill to amend chapter 93 of the private and special laws of 1878, reported that the same ought to pass.

The report was accepted, and

On motion by the same Senator,

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

Mr. VINTON, from the Committee on the Judiciary, submitted final report of said Committee, that they have acted on all matters referred to them ;

The report was accepted.

Sent down for concurrence.



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The Committee on Bills in the Second Reading, reported the following bills :

Bill amendatory to an amended act, incorporating the Kennebec Log Driving Company, approved March 5, 1869 ;

Bill to amend section 1, chapter 114 of the private laws of 1872, entitled an act to amend the charter of the city of Lewiston ;

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

Sent down for concurrence.

The same Committee also reported the following bills and resolve :

Bill for the appointment of a State Geologist ;

Resolve relating to the printing the report of the State Geologist ;

Bill additional to chapter 51 of the revised statutes ;

Which were each read a second time, and

*Ordered*, That they lie on the table.

\*The same committee also reported the following resolve : \*294

Resolve in favor of the Insane Hospital, which was read a second time, and passed to be engrossed.

Sent down for concurrence.

The same Committee reported the following bills and resolve :

Bill to amend the charter of the city of Calais ;

Bill to amend chapter 48 of the revised statutes, relative to corporations under the general law ;

Bill in relation to liens on vessels ;

Resolve fixing the time when the Penobscot tribe of Indians shall hold their annual elections ;

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 and resolves :

An act to amend an act to incorporate the Widows Wood Society ;

An act to amend chapter 18 of the revised statutes, relating to ways ;

An act for the protection of lobsters ;

An act for the navigation of Madison pond in the county of Somerset ;

Resolve in favor of the Passamaquoddy Indians ;

Resolve in favor of the town of Byron, in Oxford county ;

\*295 An act to amend section 41 of chapter 4 of \*the revised statutes, relating to voting places on the Islands in Portland ;

These bills were each passed to be enacted, and the resolves finally passed in concurrence, and having been signed by the President, were by the Secretary presented to the Governor for his approval.

Mr. SMITH presented resolve in favor of the Joint Standing Committee on Military Affairs, which was read twice, the rules being suspended, and passed to be engrossed.

Sent down for concurrence.

On motion by Mr. REDLON,

Bill to amend chapter 27, section 26 of the public laws of 1878, in relation to lime rock and slate, was taken from the table and recommitted to the Committee on Legal Affairs in concurrence.

On motion by Mr. HAWES,

Bill relating to fees in certain cases, was taken from the table, and was indefinitely postponed in concurrence.

On motion by Mr. PRINCE,

*Ordered*, That when the Senate adjourns it be to meet on Monday next, at 4.15 o'clock, P. M.,

On motion by Mr. PRINCE,

Adjourned.

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\*MONDAY, FEBRUARY 17, 1879. \*296

Prayer by Rev. Mr. Allen.

The Journal of Saturday was approved.

Papers from the House :

Report of the Committee on Financial Affairs, on resolve in favor of Samuel B. Brown, that the same ought not to pass ;

Report of the Committee on the Judiciary, on bill to amend section 3 of chapter 83 of the revised statutes, relating to Trial Justices, that the same ought not to pass ;

Report of the Committee on Legal Affairs, on an order relating to the change of law regulating the practice of medicine, that the same be referred to the next Legislature ;

Report of the Committee on State Prison, on protest of W. H. Sawtelle and others, against the employment of convict labor, that the same be referred to the next Legislature ;

Report of the Committee on State Lands and State Roads, on an order relating to conveying lots numbered 3, range 3, and 11, range 4, in Silver Ridge plantation in Aroostook county, that legislation thereon is unnecessary ;

Report of the same Committee, on an order relating to lands in townships, numbers 18, range 4, 18, range 5, 18, range 6, and 18, range 7, referred by the last Legislature to the present, that legislation thereon is inexpedient ;

\*Were accepted in concurrence.

\*297

Report of the Committee on Legal Affairs, on bill to amend section 4 of chapter 132 of the revised statutes, relating to jurisdiction of magistrates, that the same ought to pass ;

Report of the Committee on Fisheries, on bill to amend chapter 75 of the public laws of 1878, relating to fisheries and the propagation of fish, that the same ought to pass ;

Report of the Committee on Agriculture, on petition of J. H. Hussey and others, that the city of Augusta may be included in the limits of the Kennebec Agricultural Society, submitting bill additional to an act to incorporate the Kennebec Agricultural Society ;

Report of the Committee on Legal Affairs, on bill to amend chapter 51, section 80 of the revised statutes in relating to voting on the question of loaning money, that the same ought to pass ;

Report of the Committee on the Judiciary, on petition of Henry A. Neely and others, for an act incorporating the Cathedral church of St. Luke, submitting bill to incorporate the Cathedral church of St. Luke at Portland ;

Report of the same Committee, on bill additional relating to appeals in criminal cases, that the same ought to pass ;

Were accepted in concurrence, the bills each read once and to-morrow assigned for their second reading.

Bill to regulate the taking and shooting of pigeons, passed to be engrossed in the Senate, came from House amended \*298 as per sheets \*"A" and "B" and indefinitely postponed, and

On motion by Mr. REDLON,

*Ordered*, That it lie on the table.

A message was received from the House of Representatives by Mr. Staples, its Clerk, informing the Senate that in the absence of the Speaker, Mr. E. C. Farrington of Fryeburg, has been chosen Speaker *pro tempore*.

The following printed bill and resolves :

Bill to amend section 10 of chapter 77 of the revised statutes ;

Resolve in favor of the Female Orphan Asylum of Portland ;

Resolve making appropriation for the support of the Military Asylum at Bath ;

Were each read once and to-morrow assigned for their second reading.

Bill in relation to payment of the State debt, was read once.

Mr. ROGERS of Sagadahoc proposed an amendment which was agreed to.

Mr. THOMAS proposed an amendment to amend by prefixing to the first line of the bill the words "one-half."

Pending this amendment the bill was assigned for to-morrow for its second reading.

Mr. VINTON presented resolve abating State tax on township number 4, range 5, north of Bingham's Kennebec purchase in Somerset county, which was referred to the Committee on Financial Affairs.

Sent down for concurrence.

Mr. MORRISON, from the Committee on State Prison on the annual report of the Warden and \*Inspectors of the \*299 State prison, reported in detail and pending its acceptance,

On motion by the same Senator,

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

The same Senator submitted the final report of the same Committee, that they have acted on 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 :

Resolve in aid of a road leading from Kingfield to Eustis, in Franklin county, which was read a second time, and

*Ordered*, That it lie on the table.

The same Committee reported the following bill :

Bill concerning the Portsmouth, Great Falls and Conway Railroad, which was read a second time, and passed to be engrossed in concurrence.

The same committee also reported the following bill :

Bill to amend chapter 66 of the public laws of 1878, relating to the shore fisheries, which was read a second time, and

On motion by Mr. SMITH,

*Ordered*, That it lie on the table, and be assigned for Wednesday next for consideration.

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The Committee on Engrossed Bills, reported as truly and engrossed the following bills and resolve :

\*300 An act to prevent the taking of fish from \*the tributaries of Wilson pond, in the city of Auburn, for the term of five years ;

An act for the protection of smelts in Fore river in the county of Cumberland ;

An act to amend section 1, of chapter 67 of the revised statutes, relating to guardians of minors ;

An act to authorize Albert M. Bradley to dredge and navigate China pond ;

An act to authorize the county of Androscoggin to propure a loan ;

An act to amend chapter 207 of the public laws of the year 1877, entitled, "An act to obtain uniform returns from railroad corporations" ;

An act to legalize the doings of School District No. 7, in the town of Dixfield ;

An act relating to white perch in Dobsis stream ;

An act to exempt domestic fowl from attachment and execution ;

An act relating to togue and trout in Great Tunk pond in Hancock county ;

An act to prevent disturbance in public assemblies ;

An act in relation to liens on vessels ;

Resolve relating to survey and lease of lots on Indian Townships, in Washington county ;

These bills were each passed to be enacted, and the resolve 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 of Sagadahoc,  
Adjourned.

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\*TUESDAY, FEBRUARY 18, 1879. \*301

Prayer by the Chaplain.

The Journal of yesterday was approved.

Papers from the House :

Bill in relation to the Municipal Court for the city of Portland, in the county of Cumberland, was read twice, the rules being suspended, and passed to be engrossed in concurrence ;

Report of the Committee on the Judiciary, on an order to inquire into the expediency of amending chapter 133, of the laws of 1876, relating to frivolous and malicious complaints in criminal cases, submitting a bill to amend chapter 133 of the public laws of 1876, relating to criminal prosecutions ;

Report of the Committee on Legal Affairs, on bill giving County Commissioners jurisdiction over the repairs of ways with the same in a new draft, and that it ought to pass ;

Report of the same Committee, on bill to amend section 3, of chapter 116, of the revised statutes, entitled, "the regulation of fees and costs," 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 Committee on Towns, on petition of Jeremiah Tolman and others, praying that Ward 7 of the city of Rockland, be set \*off and incorporated into a separate \*302 town, submitting a bill to incorporate the town of West Rockland, was accepted in concurrence, the bill read once, and to-morrow assigned for its second reading, and

On motion by Mr. VINTON,

*Ordered*, That the final vote on the bill be taken on Thursday, at 11 o'clock A. M.

Report of the Committee on Legal Affairs, on bill to prevent the use of language, which, if printed, would be criminally libelous, that the same ought to pass, was accepted, the bill read and indefinitely postponed in concurrence ;

Report of the Committee on Mercantile Affairs and Insurance, on bill to prevent over insurance, that the same ought not to pass, came from the House, referred to the Committee on the Judiciary, and

On motion by Mr. BRADFORD,

*Resolved*, That it be indefinitely postponed.

Sent down for concurrence.

The following printed resolve :

Resolve making appropriation for uniforming the volunteer militia, was read once and next Monday assigned for its second reading.

Resolve in favor of the State Prison ;

Resolve making appropriation for the Childrens Home at Bangor ;

Resolve making appropriation for the St. Elizabeths Orphan Asylum of Portland ;

Were each read once and to-morrow assigned for their second reading.

Mr. THOMAS presented bill to provide process for the removal of unworthy attorneys, and

\*303 \**Ordered*, That it lie on the table and be printed.

The Committee on Bills in the Second Reading, reported the following resolve :

Resolve making appropriation for the support of the military asylum at Bath, which was read a second time.

Mr. ELLIS proposed an amendment by striking out "seven," in the first line and insert "five," and on the question of its adoption,

It was determined in the negative, yeas 13, nays 16.

On motion by Mr. ELLIS,

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

Those who voted in the affirmative are :

Messrs. Barker, Chase, Cobb, Ellis, Furguson, Harris, Linn,



Mayhew, Moody, Parlin, Patten, Prince, Rogers of Penobscot,—13.

Those who voted in the negative are :

Messrs. Andrews, Atwell, Bradford, Coombs, Duran, Hawes, Madigan, Morrison, Redlon, Roberts, Rogers of Sagadahoc, Smith, Thomas, Thompson, Vinton, Wait,—16.

So the amendment was disagreed to.

The resolve passed to be engrossed.

Sent down for concurrence.

On motion by Mr. ROGERS of Sagadahoc,

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

On motion by Mr. PATTEN,  
Adjourned.

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\*AFTERNOON—HALF PAST TWO O'CLOCK.

\*304

The Committee on Bills in the Second Reading, reported the following resolve :

Resolve in favor of the Female Orphan Asylum of Portland, which was read a second time, and passed to be engrossed.

Subsequently, on motion by Mr. PRINCE,

The foregoing vote was reconsidered.

Mr. THOMAS proposed an amendment, which was agreed to.

On the question of passing the resolve to be engrossed, it was determined in the affirmative, yeas 15, nays 13.

On motion by Mr. VINTON,

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

Those who voted in the affirmative are :

Messrs. Andrews, Atwell, Bradford, Coombs, Duran, Hawes,

Linn, Madigan, Morrison, Redlon, Roberts, Rogers of Sagadahoc, Smith, Thomas, Wait,—15.

Those who voted in the negative are :

Messrs. Chase, Cobb, Ellis, Ferguson, Harris, Mayhew, Moody, Parlin, Patten, Prince, Rogers of Penobscot, Thompson, Vinton,—13.

So the resolve passed to be engrossed.

Sent down for concurrence.

On motion by Mr. SMITH,

\*305 The vote was reconsidered whereby Wednesday \*was assigned for the second reading of the bill to amend chapter 66 of the public laws of 1878, relating to the shore fisheries, and the bill was taken from the table and read a second time.

Mr. THOMPSON proposed an amendment which was agreed to.

On the question of passing the bill to be engrossed, it was determined in the affirmative, yeas 17, nays 10.

On motion by Mr. COOMBS,

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

Those who voted in the affirmative are :

Messrs. Barker, Chase, Coombs, Duran, Ellis, Ferguson, Hawes, Morrison, Parlin, Patten, Prince, Roberts, Rogers of Penobscot, Rogers of Sagadahoc, Thomas, Thompson, Wait—17.

Those who voted in the negative are :

Messrs. Andrews, Atwell, Bradford, Cobb, Harris, Linn, Madigan, Mayhew, Smith, Vinton—10.

Excused from voting :

Messrs. Moody and Redlon.

So the bill as amended passed to be engrossed.

Sent down for concurrence.

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

An act in relation to the Municipal Court, for the city of Portland, in the county of Cumberland.

This bill passed to be enacted in concurrence \*and having \*306 been signed by the President, was by the Secretary presented to the Governor for his approval.

On motion by Mr. ATWELL,  
Adjourned.

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WEDNESDAY, FEBRUARY 19, 1878.

Prayer by the Chaplain.

The Journal of yesterday was approved.

Papers from the House :

Bill to amend chapter 137 of the revised statutes, relating to the disposal of insane criminals, was referred to the Committee on Legal Affairs in concurrence.

Petition of County Commissioners and Treasurer of Penobscot county, for authority to create a temporary loan, was referred to the Penobscot county delegation in concurrence.

Report of the Committee on Agriculture, on an order relating to amending section 13 of chapter 532, private and special laws of 1865, relating to the State College of Agriculture and Mechanic Arts, submitting a bill to amend section 13 of chapter 532, private and special laws of 1865, relating to the State College of Agriculture and Mechanic Arts ;

\*Report of the Committee on Interior Waters, on petition \*307 of Elias Milliken and others, for act of incorporation for the purpose of driving logs on Moose river, submitting a bill incorporating the Moose River Log Driving Company ;

Report of the Committee on the Judiciary, on bill to amend an act relating to recording devices of real estate in the registry of deeds, that the same ought to pass ;

Report of Committee on Legal Affairs, on bill relating to costs, that the same ought to pass ;

Report of the Committee on Legal Affairs, in relation to hawkers and peddlers, that the same ought to pass ;

Report of the same Committee, on the memorial of Mrs. Ellen M. Taylor and others, relating to the Punishment of female prisoners, submitting resolve for the improvement in the condition and punishment of female prisoners ;

Report of the Committee on the Judiciary, on an order relating to the lien laws, submitting a bill relating to lien claims ;

Were accepted in concurrence, the bills and resolves each read once and to-morrow assigned for their second reading.

Report of the Committee on Printing and Binding, on an order relating to a contract to execute the State printing, submitting a contract with E. F. Pillsbury & Company, to execute the printing for the State, for the current political year, accompanied by a report of the minority of said Committee submitting a \*308 contract with Messrs. Sprague, Owen & Nash, (\*House printed document, No. 54),

Came from the House, “ Referred to the Governor and Council and Secretary of State, with instructions that they shall receive sealed proposals and shall accept the lowest bid—*providing* the party making it shall give sufficient security for the faithful performance of the contract, and *providing further*, that if any parties who have been doing printing during the present session shall put in bids for the printing, their bids shall, if accepted, cover all printing done by them during this session,”

Pending the question of concurring with the House.

On motion by Mr. MAYHEW,

*Ordered*, That the report lie on the table, and to-morrow be assigned for its consideration.

The following printed bill :

Bill additional to chapter 92 of the revised statutes, concerning mills and mill dams, was read once, and to-morrow assigned for second reading.

On motion by Mr. PRINCE,

*Ordered*, That a message be sent to the Governor, requesting the return to the Senate of

An act authorizing Albert M. Bradley to dredge and navigate China pond.

The message was conveyed by the Secretary, and in response thereto the bill was returned to the Senate.

On motion by Mr. PRINCE,

The votes were reconsidered, whereby the Senate passed the foregoing bill to be enacted, \*and to be engrossed, and \*309

*Ordered*, That it lie on the table.

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

Bill to amend section 10 of chapter 77 of the revised statutes, which was read a second time and passed to be engrossed.

Sent down for concurrence.

The same Committee reported the following bill :

Bill in relation to payment of State debts, which was read a second time. Pending the amendment proposed by Mr Thomas,

On motion by Mr. ROGERS of Sagadahoc,

*Ordered*, That it lie on the table.

The same Committee reported the following bills :

Bill additional to an act to incorporate the Kennebec Agricultural Society ;

Bill to incorporate the Cathedral Church of St. Luke, Portland ;

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

The same Committee also reported the following bill :

Bill to amend chapter 75 of the public laws of 1878, relating to fisheries and the propagation of fish, which was read a second time, House amendments "A," "B" and "C" were agreed to, and the bill passed to be engrossed in concurrence.

The same Committee also reported the following bills :

Bill to amend section 4 of chapter 132 of the revised statutes, relating to jurisdiction of magistrates ;

\*310 \*Bill to amend chapter 51, section 80 of the revised statutes, relating to voting on the question of loaning money ;

Bill additional, relating to appeals in criminal cases ;

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

The same Committee also reported the following resolve :

Resolve in favor of the State Prison, which was read a second time, and passed to be engrossed.

Sent down for concurrence.

The same Committee also reported the following resolve :

Resolve making appropriation for the Childrens Home at Bangor, which was read a second time, and on the question of its passage to be engrossed, it was determined in the affirmative, yeas 14, nays 13.

On motion by Mr. VINTON,

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

Those who voted in the affirmative are :

Messrs. Andrews, Atwell, Bradford, Coombs, Duran, Hawes, Madigan, Morrison, Patten, Redlon, Rogers of Sagadahoc, Smith, Thomas, Wait,—14.

Those who voted in the negative are :

Messrs. Barker, Chase, Ellis, Fergusson, Harris, Mayhew, Moody, Parlin, Prince, Roberts, Rogers of Penobscot, Thompson, Vinton,—13

\*311 \*So the resolve passed to be engrossed.

Sent down for concurrence.

The same Committee also reported the following resolve :

Resolve making appropriation for the St. Elizabeths Orphans Asylum of Portland, which was read a second time, and

On the question of its passage to be engrossed, it was determined in the affirmative, yeas, 18, nays 9.

On motion by Mr. VINTON,

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

Those who voted in the affirmative are,

Messrs. Andrews, Atwell, Barker, Bradford, Coombs, Duran, Hawes, Madigan, Mayhew, Morrison, Patten, Redlon, Roberts, Rogers of Penobscot, Rogers of Sagadahoc, Smith, Thomas, Wait,—18.

Those who voted in the negative are :

Messrs. Chase, Ellis, Furguson, Harris, Moody, Parlin, Prince, Thompson, Vinton,—9.

So the resolve passed to be engrossed.

Sent down for concurrence. /

The same Committee reported the following bills :

Bill giving County Commissioners jurisdiction over the repairs of ways ;

Bill to amend section 3 of chapter 116 of the revised statutes of Maine, entitled "the regulation of fees and costs" ;

Bill to amend chapter 133 of the public laws of 1876, relating to criminal prosecutions ;

\*Which were each read a second time, and passed to be \*312 engrossed in concurrence.

The same Committee also reported the following bill :

Bill to incorporate the town of West Rockland, which was read a second time and pending the consideration of House amendment marked "B,"

On motion by Mr. MORRISON,

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

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

An act to legalize the action of the town of Waterborough providing for the funding of its debt ;

An act relating to the Monmouth Mutual Fire Insurance Company ;

An act to incorporate the Presque Isle and Maysville Railroad Company ;

An act to authorize the Association of the Alumni of Bowdoin College to convey Memorial Hall to the President and Trustees of Bowdoin College ;

An act relating to the taking of smelts in the Androscoggin river above Merrymeeting Bay bridge ;

An act to incorporate the Pleasant River Dam and Improvement Company ;

An act to legalize the location of public lots in Township E, in Franklin county ;

An act to change the name of Henry A. Allen of Deering, and Alice Gifford Tobey of Portland ;

\*313 An act authorizing the Harpswell Gun Point \*Ice Company to build a dam across Mill Cove in the town of Harpswell ;

An act to amend an act additional to chapter 97 of the revised statutes relating to bastard children and their maintenance, approved February 19, 1878 ;

An act additional to chapter 31 of the revised statutes, as amended by chapter 124 of the public laws of 1876, relating to agents and warehousemen ;

An act to make valid the doings of the town of Canton in the county of Oxford ;

An act concerning the education of deaf mutes ;

These bills were each passed to be enacted in concurrence, and were signed by the President.

On motion by Mr. VINTON,

*Ordered*, That hereafter the Senate will hold two sessions a day, commencing at 10 o'clock A. M. and 2:30 P. M., until otherwise ordered.

On motion by Mr. VINTON,

Bill for the appointment of a State Geologist was taken from the table, and

*Resolved*, That it be indefinitely postponed.



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On motion by the same Senator,

Resolve relating to the printing the reports of the State Geologist was taken from the table, and

On motion by Mr. MOODY,

*Resolved*, That it be indefinitely postponed;

Sent down for concurrence.

\*Mr. ROBERTS moved to reconsider the vote whereby \*314 the Senate passed to be engrossed.

Resolve making appropriation for the support of the Military Asylum at Bath, and

On motion by Mr. ROGERS of Sagadahoc,

*Ordered*, That the motion lie on the table, and that a quarter before three o'clock this afternoon be assigned for its consideration;

Mr. ANDREWS, from the Committee on Military Affairs, on the petition of Nathaniel Kimball and others relating to smelts in Sandy Brook, reported in detail:

#### STATE OF MAINE.

The Committee on Military Affairs, to which was referred the petition of Judge Nathaniel Kimball and forty-four others, praying for a law to prevent the taking of smelts in Sandy Brook, Saco, beg leave to report:

They first find that, in the course of legislation, the petition was inadvertently referred to the Committee on Fisheries, who were *floundering* about over the porgy question. The people of Boothbay, Harpswell, Ocean Point, and other outposts of civilization, had determined that "the porgy must go." The *oilfactories* of the people in the vicinity of the porgy factories had too long been drinking in the "balm of a thousand fishes," and the longshoremen were *clam-orous* for bait. Coombs of the Committee, had not long to *Wait* before *Duran's* hornpipe sounded, and Farrington of the committee became satisfied that the petition ought not to be admitted, as there was *Moore* business already before the committee than could well be attended to, such as the protection of eels, pollywogs and hornpouts, and so he put his *Wincapaw* on the petition of Judge Kimball.

It then came to the Senate, and was referred, very properly, to the Committee on Education. The smelts in this Brook generally

run in *schools*, which the friends of "retrenchment and reform" were trying to cripple at the (fishing) poles. It was the purpose of the accomplished chairman to consider this matter in connection with the school mill tax; but just as the prayers of the petitioners were being weighed in the *scales* of justice, Mr. Pickard (the silent member of the House from the Queen City of the East,) rose to a question of privilege, and claimed that it could not be considered in conjunction with the mill tax. He had been down into the bowels of the State House, and found a fly leaf from Hannibal Hamlin's account book, when he kept a peanut stand in the rotunda of the State House, and from that he had ascertained that there is no *mill* in that pond to be taxed, and no site for a mill or dam, and as he *smelt* a mice, he wouldn't go for the measure even if the smelts were there, by a *dam site*! The member of the Committee from Sebago, having ascertained that the smelts in the pond did not part their hair in the middle, became antagonistic to the proposition, and accordingly the petition was kicked out of the Committee room.

The much abused petition, coming now to the House, it was again referred, and this time to the Committee on Military Affairs. Apprehending lest the next reference should be to the Civil Service Committee, and the little smelts in that brook be whittled down to a size to conform to the present "purchasing power of a dollar," the Committee at once *grapneled* with the subject, and now beg leave to make their of-*fish*-al report:

That Gen. Leavitt, of the War Department of this State, be authorized to place the Gatling gun (now relieved from duty since the office seekers have retreated in good order), on the shores of Sandy Brook, in Saco, to be manned by the spare clerks in his office, who may be receiving enormous salaries; and that he at once "shoot on the spot," any man, woman or child who undertakes, by hook or by crook, to tempt the gay and festive smelts from the cool waters of Sandy Brook.

Who hath sky of brighter gleams?

Broader lakes, or braver streams?

Eden-like, our wide land teems

With SMELTS!

In the sea is wealth untold,

Porgy oil that brings the gold,

Pickarel will their tails unfold;

But spare the SMELTS!

Now the eagle, sweeping o'er,  
 Sees one spot near Saco's shore,  
 Sees one little brook or more  
     Full of SMELTS!  
 Ours the realm of perch and "quiver,"  
 The glassy pond, deep flowing river,  
 Spare all the fish, spare them forever,  
     But save the SMELTS!

For the Committee,

JAMES M. ANDREWS, *Chairman.*

The report was accepted, and

On motion by Mr. SMITH,

*Ordered*, That it be printed.

On motion by Mr. FERGUSON,

Adjourned.

#### AFTERNOON.

A communication was received from the Secretary of State transmitting a list of public acts, approved with date of approval as follows:

An act to amend chapter 196 of the public laws of 1871, relating to river fisheries. Approved Feb. 8, 1879;

An act to amend section 1 of chapter 124 of the revised statutes. Approved Feb. 11, 1879;

An act to amend chapter 139 of the public laws of 1873.

\*Approved Feb. 11, 1879; \*315

An act to amend chapter 63 of the public laws of 1878, relating to the Maine Industrial School for Girls. Approved Feb. 11, 1879;

An act to provide for the payment of the fees and expenses of referees. Approved Feb. 12, 1879;

An act to amend chapter 91 section 33 of the revised statutes relating to liens for land rent. Approved Feb. 13, 1879;

An act relating to crimes formerly capital. Approved Feb. 14, 1879;

An act to amend chapter 67 of the public laws of 1878. Approved Feb. 14, 1879;

An act relating to testimony of persons accused of crimes, Approved Feb. 14, 1879;

An act to prevent the adulteration of sugar and molasses. Approved Feb. 14, 1879 ;

An act to facilitate and equalize the transportation of freight and passengers over all railroads in the State. Approved Feb. 14, 1879 ;

An act to amend chapter 22 section 6 of the revised statutes of 1871. Approved Feb. 15, 1879 ;

An act for the protection of lobsters. Approved February 15, 1879 ;

An act to amend section 41 of chapter 4 of the revised statutes, relating to voting places on the islands in Portland. Approved Feb. 15, 1879 ;

\*316 \*An act relating to white perch in Dobsis stream. Approved Feb. 18, 1879 ;

An act to exempt domestic fowl from attachment and execution. Approved Feb. 18, 1879 ;

An act to amend chapter two hundred and seven of the laws of the year one thousand eight hundred and seventy-seven, entitled an act to obtain uniform returns from railroad corporations. Approved Feb. 18, 1879 ;

An act to prevent disturbance in public assemblies. Approved Feb. 18, 1879 ;

An act to amend section one of chapter sixty-seven of revised statutes, relating to guardians of minors. Approved Feb. 18, 1879 ;

An act in relation to liens on vessels. Approved Feb. 18, 1879 ;

An act relating to togue or trout in Great Tunk pond in Hancock county. Approved Feb. 18, 1879 ;

An act to amend chapter 18 of the revised statutes, relating to ways. Approved Feb. 18, 1879 ;

Papers from the House :

Report of the Committee on Legal Affairs, on the petition of John F. Berry and others, for the incorporation of the Rockland and Thomaston Water Company, that the petitioners have leave to withdraw, was accepted in concurrence.

Report of the Committee on Financial Affairs, on the petition of Jonathan Bartlett and others, for legislation in relation to  
\*317 the setting off a \*part of Montville and annexing the same

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to the town of Liberty, that the petitioners have leave to withdraw ;

Report of the Committee on Legal Affairs, on resolve relating to Plaisted and Appleton's digest, that the same ought not to pass ;

Report of the Committee on Library, on resolve in favor of the town of Haynesville, that the same ought not to pass ;

Were severally accepted in concurrence.

Mr. REDLON, from the Committee on Legal Affairs, on bill to amend section 4 of chapter 359 of the private and special laws of the year 1877, 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 to amend chapter 27, section 26 of the public laws of 1878, in relation to lime rock and slate, 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.

On motion by Mr. BARKER,

Resolve in favor of settlers in Cyr plantation, Aroostook county, was taken from the table, and pending its passage to be engrossed in concurrence,

On motion by Mr. BARKER,

*Resolved*, That the resolve be indefinitely postponed.

Sent down for concurrence.

On motion by Mr. BARKER,

Resolve in favor of Mrs. Ellebert Michaud, \*was taken \*318 from the table.

The question returning on the motion by Mr. Patten, that the resolve be indefinitely postponed, it was determined in the negative, yeas 12, nays 14.

On motion by Mr. BARKER,

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

Those who voted in the affirmative are :

Messrs. Chase, Duran, Ellis, Furguson, Harris, Hawes, Mayhew, Moody, Patten, Roberts, Smith, Vinton,—12.

Those who voted in the negative are :

Messrs. Andrews, Atwell, Barker, Coombs, Linn, Madigan, Morrison, Parlin, Prince, Redlon, Rogers of Penobscot, Rogers of Sagadahoc, Thomas, Thompson,—14.

So the motion was disagreed to.

The resolve passed to be engrossed.

Sent down for concurrence.

On motion by Mr. BARKER,

Resolve in favor of Eugene Michaud, was taken from the table and passed to be engrossed.

Sent down for concurrence.

On motion by Mr. ROBERTS,

The motion to reconsider the vote whereby the Senate passed to be engrossed,

Resolve making appropriation for the support of the Military Asylum at Bath, was taken from the table and withdrawn.

On motion by Mr. VINTON,

\*319 Bill to incorporate the town of West Rockland \*was taken from the table, House amendment "B" was agreed to.

The question being on the passage of the bill to be engrossed, after discussion,

On motion by Mr. COOMBS,

Adjourned.

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THURSDAY, FEBRUARY 20, 1879.

Prayer by the Chaplain.

The Journal of yesterday was approved.

Papers from the House :

That the Senate concurring, the Committee on Financial Affairs is hereby instructed to report no appropriation to pay for transportation of documents by express or otherwise, for any member of this Legislature or any officers thereof, was read and passed in concurrence.

Bill to authorize certain cities and towns to pay the bonds issued in aid of the Knox & Lincoln Railroad Company, and to issue new bonds for that purpose, was read twice, the rules being suspended, and passed to be engrossed in concurrence.

Report of the Committee on Civil Service Reform on bill to establish the police court of the city of Belfast, and to abolish the Belfast \*municipal court, that the same ought \*320 to pass ;

Report of the Committee on Financial Affairs, on the petition of the directors of the Maine General Hospital, submitting resolve in aid of the Maine General Hospital ;

Report of the same Committee, on resolve in favor of the abatement of the State tax in Washington plantation, that the same ought to pass ;

Report of the Committee on Indian Affairs, on an order relating to settling lots on the Indian township in Washington county, submitting resolve relating to the lands of the Passamaquoddy Indians ;

Report of the same Committee, on the petition of Stephen Stanislaus and others, submitting resolve making appropriations for the Penobscot tribe of Indians ;

Report of the Committee on the Judiciary, on bill relating to proceedings in court, that it ought to pass ;

Report of the Committee on the Judiciary, on bill regulating the duties of the clerks, registers and recording officers of the several counties in this State, that it ought to pass ;

Report of the same Committee, on bill to amend chapter 6 of the revised statutes, concerning taxes, with the same in a new draft and that it ought to pass ;

Report of the Committee on Legal Affairs, on bill to amend section 17 of chapter 116 of the revised statutes, in relation to fees of registers of deeds, that the same ought to pass ;

\*321 \*Report of the Committee on Reform School on the annual report of the Reform School, submitting resolve in favor of the State Reform School ;

Report of the same Committee, on the annual report of the Maine Industrial School for Girls, submitting resolve in favor of the Maine Industrial School for Girls, at Hallowell ;

Report of the Committee on State Lands and State Roads, on an order relating to the north part of lot 73 in township D, Range 1, Aroostook county, submitting resolve in favor of Lavinia P. Rollins ;

Report of the Committee on State Lands and State Roads, on the petition of citizens of Mapleton plantation, submitting resolve in favor of Mapleton plantation, in the county of Aroostook ;

Report of the Committee on Ways and Bridges, on the petition of James Brown and others, submitting resolve in favor of the town of Grafton, in Oxford county ;

Report of the Committee on Civil Service Reform, on an order submitting bill establishing the salaries of certain State and county officers, and fixing the number and regulating the pay and compensation of certain State employees ;

Were accepted in concurrence, the bills and resolves each read once, and to-morrow assigned for their second reading.

Bill to amend chapter 50, section 12 of the public laws of \*322 1878, for the protection of \*game and birds, passed to be engrossed by the Senate, came from the House amended per sheet H. No. 1, and passed to be engrossed.

The Senate recessed and concurred.

On motion by Mr. THOMAS,

Printed bill, Senate 68, to provide process for the removal of unworthy attorneys, was taken from the table, read once and to-morrow assigned for its second reading.



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Mr. PRINCE, from the Committee on Banks and Banking, on an order relating to repealing the law authorizing banks to issue bills or notes for circulation, reported that legislation thereon is inexpedient.

The report was accepted.

Sent down for concurrence.

Mr. HAWES, from the Committee on Civil Service on an order, reported bill to establish the salaries of certain public officers.

The same Senator, from the same Committee, on an order, reported bill to abolish the office of Inspectors of State Prison and Jails.

Mr. ELLIS, from the same Committee, on an order, reported bill to prohibit the payment of any money from the treasury of State for agricultural purposes.

The same Senator, from the same Committee, on an order, reported bill to amend section 6 of chapter 115 of the revised statutes, entitled salaries of public officers and compensation of members of the government.

The reports were accepted and the bills each \*laid over to \*323 be printed under the joint rule.

Mr. ELLIS, from the Committee on Civil Service, submitted final report of said Committee, that they have acted on all matters referred to them.

The report was accepted.

Sent down for concurrence.

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

Bill additional to chapter 92 of the revised statutes, concerning mills and mill dams, which was read a second time and passed to be engrossed.

Sent down for concurrence.

The same Committee reported the following bill:

Bill relating to costs, which was read a second time, and passed to be engrossed in concurrence.

The same Committee also reported the following bill :

Bill to amend section 13 of chapter 532 private and special laws of 1865, relating to the State College of Agriculture and Mechanic Arts, which was read a second time, and

On motion by Mr. PRINCE of Androscoggin,

*Ordered*, That it lie on the table.

The same Committee also reported the following bills and resolve :

Bill in relation to hawkers and pedlers ;

Bill incorporating the Moose River Log Driving Company ;

Bill to amend an act relating to recording devises of real estate in the registry of deeds ;

\*324 \*Bill relating to lien claims ;

Resolve for the improvement in the condition and punishment of female prisoners ;

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 :

An act to amend chapter 18 of the revised statutes, relating to ways in places not incorporated ;

An act to enable the Woodbine Cemetery Association of Ellsworth to take lands for cemetery purposes ;

An act limiting the allowance for travel and attendance to parties recovering costs in the courts of this State ;

An act for the better securing the navigation of the St. Croix river ;

An act to amend the charter of the Wassataquoik Dam Company ;

An act to amend the charter of the city of Calais ;

An act to authorize dams and embankments in the town of Byron in Oxford county, to prevent the water of Swift river from injuring the public highway ;

These bills were each passed to be enacted in concurrence, and having been signed by the President, were, together with the bills passed to be enacted at the forenoon session of February 19, presented to the Governor for his approval.

The Senate resumed consideration of bill to incorporate the town of West Rockland, under discussion at adjournment.

\*On motion by Mr. VINTON,

\*325

*Ordered*, That the hour assigned for the vote on the bill be changed from 11 o'clock, A. M., to 12 o'clock, M., and after discussion,

On motion by the same Senator,

*Ordered*, That the hour for the vote on the bill be changed to 1 o'clock, P. M.,

And after further discussion,

On motion by Mr. REDLON,

Adjourned.

AFTERNOON—HALF-PAST TWO O'CLOCK.

Mr. MOODY, from the Committee on State Valuation, submitted final report of said Committee, that they have acted on all matters referred to them.

The report was accepted.

Sent down for concurrence.

The Senate resumed consideration of bill to incorporate the town of West Rockland,

The question being on the passage of the bill to be engrossed.

It was determined in the negative, yeas 13, nays 16.

On motion by Mr. VINTON,

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

\*Those who voted in the affirmative are :

\*326

Messrs. Atwell, Barker, Chase, Coombs, Duran, Ellis, Mayhew, Morrison, Parlin, Redlon, Rogers of Penobscot, Thompson, Wait — 13.

Those who voted in the negative are :

Messrs. Andrews, Bradford, Cobb, Furguson, Harris, Hawes,

Linn, Madigan, Moody, Patten, Prince, Roberts, Rogers of Sagadahoc, Smith, Thomas, Vinton — 16.

So the bill was refused a passage.

Sent down for concurrence.

On motion by Mr. FURGUSON,

The report of the Committee on Education, on an order relating to the repeal of chapters 115 and 124 of the public laws of 1873, relating to free high schools, that legislation thereon is inexpedient, was taken from the table,

The question being on concurring with the House in amending the report by substituting therefor the report of a minority of said Committee, submitting a bill to repeal chapters 115 and 124 of the acts of 1873.

It was determined in the negative, yeas 14, nays 14.

On motion by Mr. ELLIS,

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

Those who voted in the affirmative are :

Messrs. Atwell, Barker, Chase, Cobb, Duran, Ellis, Linn, Mayhew, Moody, Parlin, Patten, Rogers of Penobscot, Thompson, Vinton — 14.

Those who voted in the negative are :

Messrs. Andrews, Bradford, Coombs, Furguson, Harris,  
\*327 Hawes, Madigan, Morrison, Prince, Reillon, \*Rogers of  
Sagadahoc, Smith, Thomas, Wait — 14.

So the Senate non-concurred.

Subsequently Mr. ANDREWS moved that the foregoing vote be reconsidered, and

*Ordered*, That the motion lie on the table, and that to-morrow at 11 o'clock A. M., be assigned for its consideration.

On motion by Mr. MAYHEW,

The report of the Committee on Printing and Binding, submitting a contract with E. F. Pillsbury & Co., was taken from the

table. The question being on concurring with the House, in reference of the report to the Governor and Council and Secretary of State with certain instructions.

It was determined in the negative, yeas 11, nays 18.

On motion by Mr. ELLIS,

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

Those who voted in the affirmative are :

Messrs. Atwell, Barker, Chase, Ellis, Linn, Madigan, Parlin, Patten, Roberts, Rogers of Penobscot, Thompson—11.

Those who voted in the negative are :

Messrs. Andrews, Bradford, Cobb, Coombs, Duran, Furguson, Harris, Hawes, Mayhew, Moody, Morrison, Prince, Redlon, Rogers of Sagadahoc, Smith, Thomas, Vinton, Wait—18.

So the Senate non-concurred.

Mr. MAYHEW moved to amend the report of the majority by substituting therefor the report of the minority of said Committee, submitting a contract with Messrs. Sprague, Owen & Nash.

\*And on this question,

\*328

It was determined in the affirmative, yeas 19, nays 10.

On motion by Mr. HARRIS,

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

Those who voted in the affirmative are :

Messrs. Andrews, Bradford, Cobb, Coombs, Duran, Ellis, Furguson, Harris, Hawes, Mayhew, Moody, Morrison, Prince, Redlon, Rogers of Sagadahoc, Smith, Thomas, Vinton, Wait—19.

Those who voted in the negative are :

Messrs. Atwell, Barker, Chase, Linn, Madigan, Parlin, Patten, Roberts, Rogers of Penobscot, Thompson—10.

So the amendment was agreed to.

The report as amended was accepted, and the contract with Messrs. Sprague, Owen and Nash was read and approved.

Sent down for concurrence.

On motion of Mr. ROGERS of Sagadahoc,

The vote was reconsidered, whereby the Senate assigned to-morrow at 11 o'clock A. M., for the consideration of the motion by Mr. Andrews to reconsider the vote, whereby the Senate refused to concur with the House in amending the report of the Committee on Education, on an order relating to repealing chapters 115 and 124 of the public laws of 1873, by substituting therefor the report of the minority, submitting a bill, and the motion was taken from the table.

The question being upon the motion by Mr. Andrews to reconsider the vote aforesaid ;

\*329 \*It was determined in the affirmative, yeas 15, nays 14.

On motion by Mr. THOMAS,

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

Those who voted in the affirmative are :

Messrs. Atwell, Barker, Chase, Cobb, Duran, Ellis, Linn, Mayhew, Moody, Parlin, Patten, Roberts, Rogers of Penobscot, Thompson, Vinton—15.

Those who voted in the negative are :

Messrs. Andrews, Bradford, Coombs, Furguson, Harris, Hawes, Madigan, Morrison, Prince, Redlon, Rogers of Sagadahoc, Smith, Thomas, Wait—14.

So the vote was reconsidered.

The question returning upon concurring with the House in amending the report by substituting therefor the report of the minority, submitting a bill.

It was determined in the affirmative, yeas 15, nays 14.

On motion by Mr. THOMAS,

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

Those who voted in the affirmative are :

Messrs. Atwell, Barker, Chase, Cobb, Dnran, Ellis, Linn, Mayhew, Moody, Parlin, Patten, Roberts, Rogers of Penobscot, Thompson, Vinton—15.

Those who voted in the negative are :

Messrs. Andrews, Bradford, Coombs, Furguson, Harris, Hawes, Madigan, Morrison, Prince, Redlon, Rogers of Sagadahoc, Smith, Thomas, Wait—14.

So the amendment was agreed to.

The report was accepted.

The bill to \*repeal chapters 115 and 124 of the acts of \*330 1873, was read twice, the rules being suspended,

Pending the adoption of House amendment marked "A,"

Mr. FERGUSON proposed to amend the amendment by adding thereto the following: "to the extent that the amount which any city or town or union of towns, any school district or union of school districts shall be entitled to receive from the State under the provisions of chapter 124 of the public laws of 1873 shall be limited to two hundred and fifty dollars, instead of five hundred dollars," and pending its adoption,

On motion by Mr. HARRIS,

Adjourned.

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FRIDAY, FEBRUARY 21, 1879.

Prayer by the Chaplain.

The Journal of yesterday was approved.

Papers from the House :

Report of the Committee on Fisheries, on bill to amend chapter 75 of the public laws of 1878, relating to the protection of fisheries and the propagation of fish, that the same ought to pass, was accepted in concurrence, the bill read \*once \*331 and to-morrow assigned for its second reading.

Report of the Penobscot County Delegation on, the petition of the treasurer of said county and others, submitting a bill to authorize the county of Penobscot to procure a temporary loan, was read twice, the rules being suspended, and passed to be engrossed in concurrence.

Report of the Committee on State Lands and State Roads, on an order submitting resolve in favor of Baring and Houlton road across Indian township, and Grand Lake Stream road in Washington county, was accepted in concurrence, the resolve read once, and to-morrow assigned for its second reading.

Bill to confirm deeds and bonds, was read, and

On motion by Mr. VINTON,

*Ordered*, That it lie on the table.

Bill relating to fishing in Cumberland county, passed to be engrossed by the Senate, came from the House amended per sheet "A" and refused a passage.

The Senate receded and concurred.

Resolve in favor of the Maine State College of Agriculture and Mechanic Arts, passed to be engrossed by the Senate, came from the House refused a passage.

On the question of receding and concurring with the House,

It was determined in the affirmative, yeas 16, nays 13.

On motion by Mr. ROBERTS,

\*332 The yeas and nays being desired by \*one-fifth of the Senators present,

Those who voted in the affirmative are :

Messrs. Barker, Chase, Cobb, Duran, Ellis, Harris, Linn, Madigan, Mayhew, Moody, Morrison, Parlin, Patten, Roberts, Thompson, Vinton — 16.

Those who voted in the negative are :

Messrs. Andrews, Atwell, Bradford, Coombs, Furguson, Hawes, Prince, Redlon, Rogers of Penobscot, Rogers of Sagadahoc, Smith, Thomas, Wait — 13.

So the resolve was refused a passage in concurrence.

The following printed bill :

Bill to amend chapter 27, section 26 of the public laws of 1878, in relation to lime rock and slate, was read once and to-morrow assigned for its second reading.



Mr. PRINCE, from the Committee on Banks and Banking, on bill to incorporate the Farmers Bank, reported that the same ought to pass.

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

On motion by Mr. MORRISON,

The report of the Committee on State Prison, on an order and the annual report of the officers of the State Prison, was taken from the table.

The report was accepted.

Sent down for concurrence.

The Committee on Bills in the Second Reading, reported the following resolve :

Resolve making appropriations for the Penobscot tribe of Indians, which was read a second time, House amendments "A" and "B" were agreed to, and the resolve passed to be engrossed in concurrence.

\*The same Committee also reported the following resolves : \*333

Resolve in favor of the abatement of the State tax in Washington plantation ;

Resolve in aid of the Maine General Hospital ;

Resolve in favor of the State Reform School ;

Which were read a second time, and passed to be engrossed in concurrence.

The same Committee also reported the following resolve :

Resolve in favor of the Maine Industrial School for Girls, at Hallowell, which was read a second time.

Mr. PRINCE proposed amendment, Senate No. 1, which was agreed to.

Mr. FURGUSON proposed amendment, Senate No. 2, which was agreed to, and the resolve as amended, passed to be engrossed.

Sent down for concurrence.

The same Committee also reported the following resolve :

Resolve in favor of the town of Grafton, in Oxford county, which was read a second time, House amendment, No. 1, was agreed to, and

On motion by Mr. ELLIS,

*Resolved*, That the resolve be in definitely postponed,

Sent down for concurrence.

The same Committee also reported the following resolve :

Resolve in favor of Mapleton plantation, in the county of Aroostook, which was read a second time, and

\*334 \*On motion by Mr. COBB,

*Resolved*, That it be indefinitely postponed.

Sent down for concurrence.

The same Committee also reported the following resolves :

Resolve relating to the lands of the Passamaquoddy Indians ;

Resolve in favor of Lanvinia P. Rollins ;

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

The same Committee, also reported the following bill :

Bill to establish the Police Court of the city of Belfast, and to abolish the Belfast Municipal Court, which was read a second time,

On motion by Mr. THOMAS,

That the bill be indefinitely postponed, it was determined in the negative, yeas 6, nays 20.

On motion by Mr. ROBERTS,

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

Those who voted in the affirmative are :

Messrs. Andrews, Hawes, Moody, Prince, Smith, Thomas—6.

Those who voted in the negative are :

Messrs. Atwell, Barker, Bradford, Chase, Cobb, Coombs, Duran, Ellis, Furguson, Linn, Madigan, Morrison, Parlin, Patten, Reddon, Roberts, Rogers of Penobscot, Rogers of Sagadahoc, Thompson, Wait—20.

So the motion was disagreed to, and the bill passed to be engrossed in concurrence.

\*The same Committee also reported the following bills: \*335

Bill to amend chapter 6 of the revised statutes, concerning taxes;

Bill relating to proceedings in court;

Bill regulating the duties of the clerks, registers and recording officers of the several counties in this State;

Bill to amend section 17 of chapter 116 of the revised statutes, in relation to fees of register of deeds;

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

The same Committee reported the following bill:

Bill to provide process for the removal of unworthy attorneys;

Which was read a second time, and passed to be engrossed.

Sent down for concurrence.

The same Committee reported the following bill:

Bill establishing the salaries of certain State officers, and fixing the number and regulating the pay and compensation of certain State employees, which was read a second time, and

On motion by Mr. FERGUSON,

*Ordered*, That it lie on the table, and that this afternoon be assigned for its consideration.

The Committee on Engrossed Bills, reported as truly and strictly engrossed the following bills and resolve:

An act relating to wharves and landings;

Resolve fixing the time when the Penobscot \*Indians \*336 shall hold their annual elections;

An act to amend chapter 66 of the public laws of 1878, relating to the shore fisheries;

These 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.

On motion by Mr. ATWELL,

Bill to repeal chapters 115 and 124 of the acts of 1873, was taken from the table, and

*Ordered*, That this afternoon at 3 o'clock be assigned for its consideration.

On motion by Mr. PRINCE,

Bill authorizing Albert M. Bradley to dredge and navigate China pond, was taken from the table.

The same Senator proposed an amendment marked Sen. No. 1, which was agreed to and the bill as amended passed to be engrossed.

On motion by Mr. THOMAS,

Bill additional to chapter 51 of the revised statutes, was taken from the table, and

On motion by Mr. COBB,

*Ordered*, That the bill be referred to the next Legislature.

On motion by Mr. SMITH,

Adjourned.

AFTERNOON.

The following printed bills :

\*337 \*Bill to amend section 6, of chapter 115 of the revised statutes, entitled an act "salaries of public officers, and compensation of members of the government ;"

Bill to establish the salaries of certain public officers ;

Bill to prohibit the payment of any money from the treasury of the State for agricultural purposes ;

Were each read once and to-morrow assigned for their second reading.

Mr. VINTON, presented a bill to authorize the inhabitants of Bowerbank to raise, assess and collect money to pay their outstanding liabilities when disorganized.

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Mr. THOMAS presented a bill to repeal an act entitled an act to authorize the Protestant Methodist church of North Gorham to sell and convey all its real estate.

These bills were each read twice, the rules being suspended, and passed to be engrossed.

Sent down for concurrence.

On motion by Mr. VINTON,

The report of the Committee on Mercantile Affairs and Insurance, on bill relating to life insurance, that the same ought not to pass, was taken from the table.

The motion to amend by substituting the report of the minority, that the bill ought to pass, was withdrawn.

The report was accepted.

Sent down for concurrence.

On motion by Mr. REDLON,

Bill to regulate the taking and shooting \*of pigeons, was \*338 taken from the table.

The Senate receded. House amendments "A" and "B" were agreed to. The Senate non-concurred with the House, in the indefinite postponement of the bill, and the same was passed to be engrossed.

Sent down for concurrence.

On motion by Mr. VINTON,

Bill to repeal chapters 115 and 124 of the acts of 1873, was taken from the table.

The question being on the adoption of the amendment proposed by Mr. Furguson, to House amendment "A," it was determined in the negative, yeas 14, nays 15.

On motion by Mr. Thomas,

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

Those who voted in the affirmative are :

Messrs. Andrews, Bradford, Coombs, Furguson, Harris, Hawes, Madigan, Morrison, Prince, Redlon, Rogers of Sagadahoc, Smith, Thomas, Wait—14.

Those who voted in the negative are :

Messrs. Atwell, Barker, Chase, Cobb, Duran, Ellis, Linn, Mayhew, Moody, Parlin, Patten, Roberts, Rogers of Penobscot, Thompson, Vinton—15.

So the amendment was disagreed to.

House amendment "A" was agreed to.

On the question of passing the bill to be engrossed, it was determined in the negative, yeas 15, nays 15.

\*339 \*On motion by Mr. HARRIS,

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

Those who voted in the affirmative are :

Messrs. Atwell, Barker, Chase, Cobb, Duran, Ellis, Linn, Mayhew, Moody, Parlin, Patten, Roberts, Rogers of Penobscot, Thompson, Vinton—15.

Those who voted in the negative are :

Messrs. Andrews, Bradford, Coombs, Fergusson, Harris, Hawes, Haynes, Madigan, Morrison, Prince, Redlon, Rogers of Sagadahoc, Smith, Thomas, Wait—15.

So the bill was refused a passage.

Sent down for concurrence.

On motion by Mr. PRINCE,

Bill to amend section 13 of chapter 532, private and special laws of 1865, relating to the State College of Agriculture and Mechanic Arts, was taken from the table and passed to be engrossed in concurrence.

A communication was received from the Secretary of State, transmitting a list of public acts which have been approved by the Governor with the date of approval, viz :

An act limiting the allowance for travel and attendance to parties recovering costs in the courts of this State. Approved Feb. 20, 1879 ;

An act to amend chapter 18 of the revised statutes, relating to ways in places not incorporated. Approved Feb. 20, 1879 ;

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An act relating to the taking of smelts in the Androscoggin river above Merrymeeting \*bay bridge. Approved Feb. \*340 20, 1879 ;

An act to amend an act additional to chapter 97 of the revised statutes, relating to bastard children and their maintenance, approved Feb. 19, 1878. Approved Feb. 20, 1879 ;

An act concerning the education of deaf mutes. Approved Feb. 20, 1879 ;

An act additional to chapter 31 of the revised statutes as amended by chapter 124 of the public laws of 1876, relating to agents and warehousemen. Approved Feb. 20, 1879.

On motion by Mr. ROGERS of Sagadahoc,

Bill in relation to payment of the State debt was taken from the table.

The question being on the adoption of the amendment proposed by Mr. Thomas,

Pending this question,

On motion by Mr. COBB,

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

Mr. REDLON, moved to reconsider the vote whereby the Senate passed to be engrossed bill to establish the police court of the city of Belfast, and to abolish the Belfast municipal court, and

*Ordered*, That the motion lie on the table and that to-morrow at 11 o'clock A. M., be assigned for its consideration.

Mr. ROGERS of Sagadahoc,

Gave notice of his intention to move a reconsideration of the vote whereby the Senate refused a passage to bill to repeal chapters \*115 and 124 of the acts of 1873. \*341

On motion by Mr. ROGERS of Sagadahoc,

*Ordered*, That when the Senate adjourns it be to meet to-morrow morning at 9 o'clock.

On motion by Mr. REDLON,

Adjourned.

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SATURDAY, FEBRUARY 22, 1879.

Prayer by Rev. Mr. ALLEN.

The Journal of yesterday was approved.

Papers from the House.

Bill to grant special powers to Sullivan school districts, so called in the town of Berwick, came up referred to the Committee on Legal Affairs, and

On motion by Mr. FERGUSON,

*Ordered*, That it lie on the table.

Report of the Committee on Maine State Year Book, on an order submitting resolve for the purchase of the Maine State Year Book and Legislative Manual.

Report of the Committee on Claims, on the memorial of the assessors of Fort Kent, submitting resolve in favor of the town of Fort Kent.

Report of the Committee on Federal Relations, on memorial relating to bridge over the St. John \*and St. Francis rivers, submitting a joint resolution in relation to the navigation and bridging of the rivers St. John and St Francis, where said rivers are the line of boundary between the United States and the Dominion of Canada.

Report of the Committee on State Lands and State Roads on resolve relating to settling lands in Perham Plantation, with the same in a new draft, and that it ought to pass ;

Report of the Committee on Education, on the petition of the Trustees of the Maine Central Institute, submitting resolve to amend chapter 154 of the resolves of 1870, entitled resolve in favor of Maine Central Institute.

Report of the Committee on State Lands and State Roads, on the petition of inhabitants of Van Buren and others for an appropriation for building a bridge across the St. John river at Van Buren, submitting resolve in aid of building a bridge across the St. John river at Van Buren, were accepted in concurrence,



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the resolves each read once and to-morrow assigned for their second reading.

Resolve making appropriation for the support of the Military Asylum at Bath, passed to be engrossed by the Senate, came from the House amended per sheet "A," and passed to be engrossed.

The Senate receded and concurred.

Bill to incorporate the town of West Rockland, refused a passage by the Senate, came from the House, that branch insisting upon its passage and proposing a Committee of Conference with \*Messrs. Locke of Portland, Hinckley of Blue- \*343 hill and Lord of Standish, appointed conferees.

*Resolved*, That the Senate insists and joins as conferees, Messrs. Vinton of Cumberland, Cobb of Androscoggin, and Madigan of Aroostook.

The following printed bill :

Bill to abolish the office of inspectors of State Prison and jails, was read once, and Monday assigned for its second reading.

Resolve in favor of the Female Orphan Asylum of Portland ;

Resolve making appropriation for the Childrens Home at Bangor ;

Resolve making appropriation for the St. Elizabeth Orphan Asylum of Portland ;

Severally passed to be engrossed by the Senate, came from the House indefinitely postponed.

The Senate receded and concurred.

Mr. SMITH presented by leave,

Resolve for the appointment of a commission to investigate the manner of taking porgies on the coast of Maine, and its effect upon shore fisheries, and on motion by the same Senator,

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

On motion by Mr. VINTON,

*Ordered*, That the Treasurer of State, if he can do so with-

out taking time which ought to be given to more important matters, inform either the Senate or House, how much money  
\*344 has been received into the Treasury from the sale \*of  
“jack knives.”

On motion by Mr. PATTEN,

*Ordered*, That the Superintendent of Public Buildings be requested to furnish the Senate with a statement, showing the different items for the payment of which an appropriation has to be made and the amount and probable expense of each in his department.

Mr. PARLIN, from the Committee on Federal Relations, on the petition of Martin Sawyer and others, for an appropriation to build one-half of a bridge across the St. John river at Little Falls, reported that the petition be referred to the next Legislature, to await the action of a memorial of this Legislature to the Congress of the United States.

The report was accepted.

Sent down for concurrence.

Mr. PARLIN, from the same Committee, submitted final report of said Committee, that they have acted upon all matters referred to them.

The report was accepted.

Mr. THOMPSON, from the Committee on Printing and Binding, on an order submitted a contract with Alexander J. Cameron, to do the binding of the State for the current year.

Mr. MAYHEW, from the same Committee, presented a report of the minority of said Committee, submitting a contract with Andrew Masters and Danforth P. Livermore, and

On motion by Mr. MAYHEW,

*Ordered*, That the reports and accompanying contracts lie on the table and be printed.

\*345 The Committee on Bills in the Second Reading, \*reported the following bill :

Bill to amend section 6 of chapter 115 of the revised statutes, entitled an act "salaries of public officers, and compensation of members of the government," which was read a second time, and

On motion by Mr. ELLIS,

*Ordered,* That it lie on the table.

The Senate proceeded to the consideration of the motion by Mr. REDLON, to reconsider the vote whereby the Senate passed to be engrossed, bill to establish the police court of the city of Belfast, and to abolish the Belfast municipal court, specially assigned for 11 o'clock, A. M.

And the question being on the motion aforesaid to reconsider said vote, it was determined in the negative, yeas 4, nays 21.

On motion by Mr. ELLIS,

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

Those who voted in the affirmative are :

Messrs. Moody, Prince, Smith, Thomas—4.

Those who voted in the negative are :

Messrs. Atwell, Barker, Bradford, Chase, Cobb, Coombs, Duran, Ellis, Furguson, Hawes, Linn, Madigan, Mayhew, Morrison, Parlin, Patten, Roberts, Rogers of Penobscot, Rogers of Sagadahoc, Thompson, Wait—21.

So the motion was disagreed to.

The Committee on Bills in the Second Reading, reported the following bills :

\*Bill to incorporate the Farmers Bank ; \*346

Bill to amend chapter 27, section 26 of the public laws of 1878, in relation to lime rock and slate ;

Bill to establish the salaries of certain public officers ;

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

Sent down for concurrence.

The same Committee also reported the following bill :

Bill to prohibit the payment of any money from the treasury of the State for agricultural purposes, which was read a second time, and on the question of passing the bill to be engrossed,

It was determined in the affirmative, yeas 14, nays 13.

On motion by Mr. PRINCE,

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

Those who voted in the affirmative are :

Messrs. Atwell, Barker, Chase, Ellis, Linn, Madigan, Mayhew, Moody, Parlin, Patten, Roberts, Rogers of Penobscot, Rogers of Sagadahoc, Thompson—14.

Those who voted in the negative are :

Messrs. Bradford, Cobb, Coombs, Duran, Furguson, Harris, Hawes, Morrison, Prince, Redlon, Smith, Thomas, Wait—13.

So the bill passed to be engrossed.

Sent down for concurrence.

On motion by Mr. ROGERS of Sagadahoc,

\*347 The vote was reconsidered whereby the Senate \*refused a passage to bill to repeal chapters 115 and 124 of the acts of 1873.

The question returning on the passage of the bill to be engrossed,

It was determined in the affirmative, yeas 17, nays 11.

On motion by Mr. THOMAS,

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

Those who voted in the affirmative are :

Messrs. Barker, Chase, Cobb, Duran, Ellis, Linn, Mayhew, Moody, Morrison, Parlin, Patten, Redlon, Roberts, Rogers of Penobscot, Rogers of Sagadahoc, Thompson, Vinton—17.

Those who voted in the negative are :

Messrs. Bradford, Coombs, Furguson, Harris, Hawes, Haynes, Madigan, Prince, Smith, Thomas, Wait—11.

Mr. ATWELL announced that he paired with Mr. Andrews who would vote nay, if he was present.

So the bill passed to be engrossed in concurrence.

On motion by Mr. THOMAS,

Bill in relation to payment of the State debt, was taken from the table.

Mr. THOMAS withdrew his proposed amendment to prefix to the first line the words "one-half."

Mr. VINTON moved to amend by prefixing the words "one quarter."

Mr. ELLIS moved to amend by prefixing the words "one-half," and pending this amendment,

On motion by Mr. WAIT,

Adjourned.

\*AFTERNOON—HALF-PAST TWO O'CLOCK.

\*348

Papers from the House :

Report of the Committee on Fisheries, on the report of the Commissioners of Fisheries, submitting resolve making appropriation for the propagation of fish, was accepted in concurrence, the resolve read once and Monday assigned for its second reading.

Resolve in favor of Mapleton Plantation in the county of Aroostook, indefinitely postponed by the Senate, came up, and the House insists upon its passage, and proposes a Committee of Conference with Messrs. Smith of Mapleton, Young of Brunswick, Farrell of Van Buren, appointed conferees.

Resolve in favor of the town of Grafton in Oxford county, indefinitely postponed by the Senate, came up, and the House insists upon its passage, and proposes a Committee of Conference with Messrs. Farrington of Fryeburg, Douglass of Upton, Pickard of Bangor, appointed conferees.

*Resolved*, That the Senate insists upon its votes upon the foregoing resolves, and appoints as conferees upon the resolves respectively,

\*Messrs. Cobb of Androscoggin, Patten of Penobscot, \*349 Mayhew of Kennebec.

A communication was received from the Hon. Charles A. White, Treasurer of State, in response to an order of the Senate inquiring "how much money has been received into the treasury

from the sale of jack-knives," informing the Senate "that the sum of twenty-five and fifty-three one-hundredth dollars has been received and credited on the books in" that office.

Mr. SMITH, from the Committee on Insane Hospital, and

Mr. THOMPSON, from the Committee on Printing and Binding, respectively reported that said Committees have acted upon all matters referred to them.

These reports were accepted.

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

Bill to amend chapter 75 of the public laws of 1878, relating to the protection of fisheries and the propagation of fish, which was read a second time, House amendments "A" "B" and "C" were agreed to and the bill as amended passed to be engrossed in concurrence.

The same Committee also reported the following resolve :

Resolve in favor of Baring and Houlton road across Indian township and Grand Lake stream road in Washington county, which was read a second time and passed to be engrossed in concurrence.

\*350 The Committee on Engrossed Bills reported \*as truly and strictly engrossed the following bills :

An act to amend section 1 of chapter 114 of the private laws of 1872, entitled an act to amend the charter of the city of Lewiston ;

An act additional to chapter 34 of the revised statutes relating to auctions and auctioneers ;

An act additional to chapter 6 of the revised statutes relating to suits for lands sold for non-payment of taxes ;

An act giving County Commissioners jurisdiction over the repairs of ways ;

An act additional to an act to incorporate the Kennebec Agricultural Society ;

An act to repeal chapter 240 of the private and special laws of 1876, relating to preservation of fish in the Little Sebago Lake ;

An act to incorporate the Moosehead Lake Telegraph Company;

An act concerning the Portsmouth, Great Falls and Conway Railroad;

An act to amend section 4 of chapter 132 of the revised statutes relating to jurisdiction of magistrates;

An act fixing the salaries of certain public officers and compensation of certain members of the Government;

An act to incorporate the Cathedral church of St. Luke, Portland;

An act in relation to hawkers and pedlars;

Which were each passed to be enacted, and having been signed by the President, were by the Secretary presented to the Governor for his approval;

\*On motion by Mr. MORRISON,

\*351

Resolve in aid of a road leading from Kingfield to Eustis in Franklin county, was taken from the table, and

On motion by Mr. PATTEN,

*Resolved*, That the resolve be indefinitely postponed.

Sent down for concurrence.

On motion by Mr. PATTEN,

Bill to extend the time for taking smelts in the Penobscot river and its tributaries, was taken from the table.

The bill was read twice, the rules being suspended, and passed to be engrossed in concurrence.

Mr. VINTON, from the Committee of Conference on the disagreeing votes of the two branches, on bill to incorporate the town of West Rockland, 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, and

*Resolved*, That the Senate adheres.

On motion by Mr. VINTON,

Bill to confirm deeds and bonds, was taken from the table and read a second time, and

*Resolved*, That it be indefinitely postponed.

Sent down for concurrence.

Mr. VINTON, by leave, presented a bill to amend section 15 of chapter 218 of the public laws of 1877, relating to the one-half of one per cent of the tax on Savings banks, which was \*352 laid over to be \*printed under the Joint Rule.

On motion by Mr. MORRISON,

Adjourned.

MONDAY, FEBRUARY 24, 1879.

Prayer by Rev. MR. BOLTON of Bangor.

[ The Journal of Saturday was approved.

Papers from the House :

Report of the Committee on Education, on bill to amend chapter 85 of the special laws of 1878, entitled "an act to provide schools for the training of teachers in Madawaska territory," that the same ought to pass ;

Report of the Committee on the Judiciary, on bill relating to bondholders of the Portland and Rochester Railroad Company, with the same in a new draft and that it ought to pass ;

Report of the same Committee, on an order submitting bill additional to, and amendatory of chapter 24 of the revised statutes, in relation to the support of paupers in unincorporated places ;

Report of the same Committee, on the petition of George W. Newcomb and others, submitting bill in relation to abatement of taxes in cities ;

\*353 \*Report of the Committee on Civil Service Reform, on an order submitting bill additional regulating fees for admitting persons to bail ;

Report of the Committee on Ways and Bridges, on the petition



of Charles W. Stimpson, Jr., submitting bill allowing Charles W. Stimpson, Jr., to extend a wharf into tide waters in the Georges river ;

Report of the Committee on Claims, on the report of the Governor and Council, on the bills of Edmund D. Wiggin, for services in the case of J. Wilson Barron, submitting resolve in favor of Edmund D. Wiggin ;

Were accepted in concurrence, the bills and resolves each read once and to-morrow assigned for their second reading.

Bill to amend section 13, of chapter 41 of the revised statutes, relating to the sale of coal ;

Bill to provide public scales for weighing coal ;

Severally came up indefinitely postponed and were read and indefinitely postponed in concurrence.

Resolve in favor of Perkins and Washington plantations ;

Resolve in favor of Eugene Michaud ;

Severally passed to be engrossed by the Senate, came from the House indefinitely postponed,

The Senate receded and concurred.

Bill to regulate the taking and shooting of pigeons, passed to be engrossed by the Senate \*came up and the House \*354 adheres to its vote to indefinitely postpone the bill.

On motion by Mr. PARLIN,

*Ordered*, That it lie on the table.

A communication was received from General B. F. Harris, Superintendent of Public Buildings, in response to an order of the Senate, submitting a statement of items for which an appropriation will be required, which was referred to the Committee on Financial Affairs.

Sent down for concurrence.

Mr. COBB, from the Committee of Conference, on the disagreeing votes of the two branches, on resolve in favor of the town of Grafton, in Oxford county, reported that the Committee were

unable to agree with the Committee on the part of the House and recommend that the Senate adhere.

The report was accepted, and

*Resolved*, That the Senate adheres.

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

Bill to abolish the office of inspectors of State prison and jails ; which was read a second time, and

On motion by Mr. FERGUSON,

That the bill be indefinitely postponed.

It was determined in the affirmative, yeas, 16, nays 7.

On motion by Mr. FERGUSON,

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

Those who voted in the affirmative are :

\*355 \*Messrs. Andrews, Atwell, Cobb, Coombs, Duran, Ferguson, Madigan, Mayhew, Moody, Morrison, Parlin, Pat-ten, Prince, Redlon, Rogers of Penobscot, Vinton—16.

Those who voted in the negative are :

Messrs. Barker, Bradford, Chase, Ellis, Harris, Roberts, Thompson—7

So the bill was indefinitely postponed.

Sent down for concurrence.

The Committee on Bills in the Second Reading, reported the following resolves :

A joint resolution in relation to the navigation and bridging of the rivers St. John and St. Francis, where said rivers are the line of boundary between the United States and the Dominion of Canada ;

Resolve in favor of the town of Fort Kent ;

Resolve relating to settling lands in Perham plantation ;

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

The same Committee also reported the following resolve :

Resolve for the purchase of the Maine State Year Book and Legislative Manual, which was read a second time, and

On motion by Mr. ELLIS,

That the resolve be indefinitely postponed.

It was determined in the negative, yeas, 5, nays 19.

On motion by Mr. ELLIS,

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

Those who voted in the affirmative are :

\*Messrs. Chase, Ellis, Morrison, Roberts, Rogers of Penobscot—5. \*356

Those who voted in the negative are :

Messrs. Andrews, Atwell, Barker, Bradford, Cobb, Coombs, Duran, Furguson, Harris, Hawes, Madigan, Mayhew, Parlin, Patten, Prince, Redlon, Thompson, Vinton, Wait—19.

So the motion was disagreed to, and the resolve passed to be engrossed in concurrence.

The same Committee also reported the following resolve :

Resolve making appropriation for the propagation of fish, which was read a second time, and on the question of concurring with the House in the indefinite postponement of the resolve,

It was determined in the affirmative. yeas, 16, nays 6.

On motion by Mr. COOMBS,

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

Those who voted in the affirmative are :

Messrs. Atwell, Barker, Chase, Cobb, Duran, Ellis, Furguson, Madigan, Parlin, Patten, Redlon, Roberts, Rogers of Penobscot, Thompson, Vinton, Wait—16.

Those who voted in the negative are :

Messrs. Bradford, Coombs, Harris, Hawes, Morrison, Prince—6.

The same Committee also reported the following resolve :

Resolve in aid of building a bridge across the St. John river at Van Buren, which was read a second time \*357

On motion by Mr. BARKER,

The Senate non-concurred in refusing the resolve a passage, and  
*Ordered*, That the resolve be referred to the next Legislature.  
Sent down for concurrence.

The same Committee also reported the following resolve :

Resolve to amend chapter 154 of the resolves of 1870, entitled  
resolve in favor of Maine Central Institute, which was read a second time.

On the question of concurring with the House in the reference  
of the resolve to the next Legislature,

It was determined in the negative, yeas none, nays 23.

On motion by Mr. BRADFORD,

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

In the affirmative none voted.

Those who voted in the negative are :

Messrs. Atwell, Barker, Bradford, Cobb, Coombs, Duran, Ellis,  
Ferguson, Harris, Hawes, Madigan, Mayhew, Moody, Morrison,  
Parlin, Patten, Prince, Redlon, Roberts, Rogers of Penobscot,  
Thompson, Vinton, Wait — 23.

So the Senate non-concurred, and the resolve passed to be  
engrossed.

Sent down for concurrence.

A message was received from the House by Mr. Staples, its  
\*358 Clerk, requesting the return \*to the House of

Bill to amend section 13, of chapter 41 of the revised statutes,  
relating to the sale of coal.

On motion by Mr. VINTON,

*Ordered*, That the bill be returned to the House.

On motion by Mr. PRINCE,

*Ordered*, That on and after to-morrow the Senate meet at 9 :30  
o'clock A. M.

On motion by Mr. PATTEN,

*Ordered*, That Senator Atwell of Penobscot, be and hereby is

excused from further attendance from and after Tuesday morning session and that the Secretary be instructed to make up his pay to the end of the session.

On motion by Mr. ELLIS,

Bill to amend section 6, of chapter 115 of the revised statutes, entitled an act "salaries of public officers, and compensation of members of the government," was taken from the table.

The same Senator proposed amendments Senate No. 1, and Senate No. 2, which were agreed to.

Mr. MORRISON moved,

That the bill be indefinitely postponed, and pending this question,

On motion by Mr. VINTON,

Adjourned.

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AFTERNOON—HALF-PAST TWO O'CLOCK.

On motion by Mr. PRINCE,

*Ordered*, That a message be sent to the \*House of Rep- \*359  
resentatives requesting the return of bill to prohibit the  
payment of any money from the treasury of the State for agricul-  
tural purposes.

The message was conveyed by the Secretary and the bill was  
returned to the Senate.

On motion by Mr. ROGERS of Penobscot,

The vote whereby the Senate passed the foregoing bill to be  
engrossed was reconsidered, and

On motion by Mr. PRINCE,

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

Mr. PATTEN presented bill to amend chapter 69 of the pub-  
lic laws of 1878, entitled "an act to amend chapter 202 of the  
public laws of 1877, relating to Normal schools, which was laid  
over to be printed under the joint rule.

On motion by Mr. ANDREWS,

Resolve making appropriation for uniforming the volunteer militia, was taken from the table, and

*Ordered*, That to-morrow at 11 o'clock A. M., be assigned for its consideration.

On motion by Mr. ELLIS,

Bill to amend section 6 of chapter 115 of the revised statutes, entitled an act "salaries of public officers, and compensation of members of the government," under discussion at adjournment was taken from the table.

The question being on the motion to indefinitely postpone the bill.

It was determined in the negative, yeas 9, nays 16.

On motion by Mr. ELLIS,

\*360 The yeas and nays being desired by one-fifth \*of the Senators present,

Those who voted in the affirmative are :

Messrs. Andrews, Cobb, Coombs, Madigan, Moody, Morrison, Prince, Redlon, Wait—9.

Those who voted in the negative are :

Messrs. Atwell, Barker, Bradford, Chase, Duran, Ellis, Ferguson, Harris, Hawes, Mayhew, Parlin, Patten, Roberts, Rogers of Penobscot, Thompson, Vinton—16.

So the motion was disagreed to.

The bill as amended passed to be engrossed.

Sent down for concurrence.

The following printed bill :

Bill to amend section 15 of chapter 218 of the public laws of 1877, relating to the one-half of one per cent. of the tax on savings banks, was read twice, the rules being suspended.

On motion by Mr. BRADFORD,

That the bill be indefinitely postponed.

It was determined in the affirmative, yeas 14, nays 12.

On motion by Mr. BRADFORD,

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

Those who voted in the affirmative are :

Messrs. Andrews, Bradford, Coombs, Duran, Furguson, Harris, Hawes, Madigan, Morrison, Parlin, Prince, Redlon, Smith, Wait—14.

Those who voted in the negative are :

Messrs. Atwell, Barker, Chase, Ellis, Mayhew, Moody, Patten, Roberts, Rogers of Penobscot, Rogers of Sagadahoc, Thompson, Vinton—12.

So the bill was indefinitely postponed.

On motion by Mr. VINTON.

\*Bill in relation to payment of the State debt, was taken \*361 from the table.

Mr. ELLIS withdrew his proposed amendment to prefix the word "one-half."

Mr. VINTON proposed to amend by prefixing "one-quarter of" and on the question of adopting this amendment.

It was determined in the negative, yeas 12, nays 15.

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. Atwell, Barker, Chase, Cobb, Ellis, Moody, Patten, Roberts, Rogers of Penobscot, Rogers of Sagadahoc, Thompson, Vinton—12.

Those who voted in the negative are :

Messrs. Andrews, Bradford, Coombs, Duran, Ferguson, Harris, Hawes, Madigan, Mayhew, Morrison, Parlin, Prince, Redlon, Smith, Wait—15.

So the amendment was disagreed to.

On the motion by Mr. MORRISON,

That the bill be indefinitely postponed,

It was determined in the affirmative, yeas, 15, nays, 12.

On motion by Mr. BRADFORD,

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

Those who voted in the affirmative are :

Messrs. Andrews, Bradford, Coombs, Duran, Fergusson, Harris, Hawes, Madigan, Mayhew, Morrison, Parlin, Prince, Redlon, Smith, Wait—15.

\*362 \*Those who voted in the negative are :

Messrs. Atwell, Barker, Chase, Cobb, Ellis, Moody, Patten, Roberts, Rogers of Penobscot, Rogers of Sagadahoc, Thompson, Vinton—12.

So the bill was indefinitely postponed.

Sent down for concurrence.

A communication was received from Hon. E. H. Gove, Secretary of State, transmitting a list of public acts approved, with date of approval as follows :

An act to amend chapter 66 of the public laws of 1878, relating to the shore fisheries. Approved Feb. 24, 1879 ;

An act additional to chapter 34 of the revised statutes, relating to auctions and auctioneers. Approved Feb. 24, 1879 ;

An act to amend section 4 of chapter 132 of the revised statutes, relating to jurisdiction of magistrates. Approved Feb. 24, 1879 ;

An act giving County Commissioners jurisdiction over the repairs of ways. Approved Feb. 24, 1879 ;

An act in relation to hawkers and pedlars. Approved Feb. 24, 1879 ;

An act additional to chapter 6 of the revised statutes, relating to suits for lands sold for non-payment of taxes. Approved Feb. 24, 1879 ;

Mr. THOMPSON, from the Committee on Library, submitting final report of said Committee, that they have acted upon all matters referred to them.

The report was accepted.

\*363 \*Sent down for concurrence.

On motion by Mr. BRADFORD,

Adjourned.



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TUESDAY, FEBRUARY 25, 1879.

Prayer by the Chaplain.

The Journal of yesterday was approved.

Papers from the House :

Report of the Committee on the Judiciary, on bill to amend chapter 6 of the revised statutes, that the same ought not to pass ;

Report of the Committee on Ways and Means, on bill providing for the appraisal and taxation of railroads, that the same ought not to pass ;

Were accepted in concurrence.

Report of the minority Committee on the Judiciary, on an order submitting resolutions concerning an amendment of the constitution of Maine, relating to biennial sessions ;

Report of the same Committee, on bill in relation to suits for taxes, with the same in a new draft and that it ought to pass ;

Report of the Committee on Legal Affairs, on bill to amend chapter 137 of the revised statutes, relating to the disposal of insane criminals, that the same ought to pass ;

\*Report of the same Committee, on bill to amend section \*364 7 of chapter 133 of the public laws of 1873, being an act to improve the jail system of the State, that the same ought to pass ;

Report of the Committee on Ways and Bridges, on the petition of Lewis Leadbetter, Jr. and others, submitting bill to authorize Lewis Leadbetter, Jr. and Elisha C. Cooper to build a bridge over tide waters in the town of North Haven ;

Report of the Select Committee on Insolvency Law, on an order submitting bill to amend chapter 74 of the public laws of 1878, entitled an act in relation to the insolvent laws of Maine ;

Were accepted in concurrence, the bills and resolves each read once and to-morrow assigned for their second reading.

Bill to establish the salaries of certain public officers passed to be engrossed by the Senate, came from the House amended per sheet "A," and passed to be engrossed.

*Resolved*, That the Senate insists upon its former vote.

Sent down for concurrence.

Resolve in favor of the Maine Industrial School for Girls at Hallowell, amended per sheets Senate Nos. 1 and 2 by the Senate and passed to be engrossed, came up and the House non-concurs on the amendments, insists on its passage, proposes a Committee of Conference and appoints,

Messrs. Gilman of Meddybemps, Perry of Camden, and Gup-til of Gorham, conferees on its part.

\*365 \**Resolved*, That the Senate insists upon its amendments and concurs in the proposed Committee of Conference, and

Messrs. Furguson of York, Prince of Androscoggin, and Roberts of Waldo, were appointed conferees on its part.

Mr. PRINCE, from the Committee on Banks and Banking ;

Mr. REDLON, from the Committee on Legal Affairs ;

Respectively submitted final reports of said Committees, that they have acted upon all matters referred to them.

These reports were accepted.

Sent down for concurrence.

Mr. COBB, from the Committee of Conference, on the disagreeing votes of the two branches, on resolve in favor of Mapleton plantation in the county of Aroostook, reported that the Committee are unable to agree, and that the Senate adhere.

The report was accepted, and

*Resolved*, That the Senate adheres.

The Committee on Bills in the Second Reading, reported the following bills :

Bill allowing Charles W. Stimpson, Jr., to extend a wharf into tide waters in the Georges river ;

Bill relating to bondholders of the Portland & Rochester railroad company ;

Bill to amend chapter 85 of the special laws of 1878, entitled "an act to provide schools for the training of teachers in Madawaska territory ;"

\*366 \*Which were each read a second time and passed to be engrossed in concurrence.

The same Committee also reported the following bill :

Bill additional to, and amendatory of, chapter 24 of the revised statutes, in relation to the support of paupers in unincorporated places, 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 resolve :

Resolve in favor of Edmund D. Wiggin, which was read a second time, and

On motion by Mr. BRADFORD,

*Ordered*, That it lie on the table.

The same Committee also reported the following bill :

Bill additional regulating fees for admitting persons to bail, which was read a second time and indefinitely postponed in concurrence.

The same Committee also reported the following bill :

Bill in relation to abatement of taxes in cities, which was read a second time, and refused a passage in concurrence.

Subsequently Mr. PATTEN moved a reconsideration of the foregoing vote.

The motion was disagreed to.

The Committee on Engrossed Bills, reported as truly and strictly engrossed the following bills and resolves :

An act to authorize the inhabitants of school district number 9 in the town of Kittery to elect a \*district treasurer ; \*367

An act relating to costs ;

An act to amend an act relating to recording devises of real estate in the registry of deeds ;

An act to amend section 13 of chapter 532, private and special laws of 1865, relating to the State College of Agriculture and Mechanic Arts ;

An act to amend chapter 209 of the public laws of the year 1877, entitled "an act to amend chapter 6, section 53 of the revised statutes, relating to repairs of ways in unincorporated townships ;

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An act to amend chapter 6 of the revised statutes concerning taxes ;

An act amendatory to an amended act incorporating the Kennebec Log Driving Company. Approved March 15, 1869 ;

An act to supply the people of Fryeburg village with pure water ;

An act to authorize the county of Penobscot to procure a temporary loan ;

An act to extend the time of taking smelts in the Penobscot river and its tributaries ;

An act relating to proceedings in court ;

An act to amend chapter 75 of the public laws of 1878, relating to the protection of fisheries and the propagation of fish ;

Resolve in favor of the State Reform School ;

Resolve in favor of the Insane Hospital ;

Resolve relating to the lands of the Passamaquoddy Indians ;

Resolve making appropriations for the Penobscot tribe of Indians ;

Resolve in favor of the abatement of the State tax in Washington plantation ;

\*368 \*Resolve in favor of the Joint Standing Committee on State Prison ;

Resolve in favor of the town of Milbridge in the county of Washington ;

Resolve in favor of James Cousins, Jr. ;

Resolve in favor of the Joint Standing Committee on Military Affairs ;

Resolve in favor of Alfred Veazie :

Resolve in favor of Lavinia P. Rollins ;

Resolve to facilitate the settlement of the Wild Lands of Maine ;

Resolve for the improvement in the condition and punishment of female prisoners ;

Resolve in favor of the Joint Standing Committee on Reform School ;

Resolve in favor of the Joint Standing Committee on Agriculture ;

Resolve in aid of the Maine General Hospital ;

These 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. VINTON,

The vote was reconsidered whereby the Senate passed to be engrossed ;

Resolve in favor of the town of Fort Kent, and

*Resolved*, That it be indefinitely postponed.

Sent down for concurrence.

On motion by Mr. BRADFORD,

Bill to incorporate the Union Accident Insurance Company, was taken from the table.

\*The same Senator presented a new draft, which was \*369 substituted for the bill, and the substitute passed to be engrossed.

Sent down for concurrence.

On motion of Mr. ANDREWS,

The Senate proceeded to the consideration of resolve making appropriation for uniforming the volunteer militia, specially assigned for 11 o'clock.

The resolve was read a second time, and on the question of its passage to be engrossed,

It was determined in the negative, yeas 6, nays 21.

On motion by Mr. ANDREWS,

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

Those who voted in the affirmative are :

Messrs. Andrews, Atwell, Bradford, Morrison, Rogers of Sagadahoc, Smith—6.

Those who voted in the negative are :

Messrs. Barker, Chase, Coombs, Duran, Ellis, Furguson, Harris, Hawes, Linn, Madigan, Mayhew, Moody, Parlin, Patten, Prince, Redlon, Roberts, Rogers of Penobscot, Thompson, Vinton, Wait—21.

So the resolve was refused a passage.

Sent down for concurrence.

On motion by Mr. ELLIS,

Bill establishing the salaries of certain State and county officers, and fixing the number and regulating the pay and compensation of certain State employees, was taken from the table.

\*370 The question of agreeing to House amendment \*No. 1, to amend section 3 line 5 (of bill as printed House Document 114) by striking out "twelve" and inserting "sixteen."

Was determined in the negative, yeas 9, nays 14.

On motion by Mr. VINTON,

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

Those who voted in the affirmative are :

Messrs. Andrews, Atwell, Hawes, Madigan, Morrison, Redlon, Roberts, Smith, Wait—9.

Those who voted in the negative are :

Messrs. Barker, Chase, Cobb, Coombs, Ellis, Furguson, Linn, Mayhew, Moody, Parlin, Patten, Prince, Rogers of Penobscot, Vinton—14.

So the amendment was disagreed to.

On motion by Mr. Morrison,

Adjourned.

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AFTERNOON—HALF-PAST TWO O'CLOCK.

Mr. REDLON moved to reconsider the vote whereby the Senate refused to recede, on bill to establish the salaries of certain public officers, and

*Ordered*, That the motion lie on the table, and that to-morrow at 11 o'clock A. M. be assigned for its consideration.

The Senate resumed consideration of bill establishing the salaries of certain State and county officers, and fixing the number and regulating the pay and compensation of \*cer- \*371  
tain State employees, under consideration at adjournment.

House amendments Nos. 2 and 3 were agreed to.

House amendment No. 4 was considered.

Mr. REDLON proposed to amend the amendment per Senate No. 1, by adding the words, "And he shall be allowed an additional annual sum of fifty dollars for clerk hire."

This amendment was agreed to, and House amendment No. 4 thus amended was agreed to.

House amendments Nos. 5, 6, 7, 8, 9, 10 and 11 were agreed to.

House amendments Nos. 12, 13 and 14 were disagreed to.

Mr. SMITH proposed amendment Senate No. 2, to amend section 5 by adding:

Lincoln—Out of the fees of his office, the clerk may retain eight hundred dollars per annum; and one half the amount received over that sum, rendering an account of all fees as provided by law, but the entire annual amount of his salary shall not exceed one thousand dollars.

Also Senate No. 3, to amend section 5, by adding:

Monies received for naturalization and for law copies, shall be considered fees of office within the meaning of this section.

Mr. HARRIS proposed amendment Senate No. 3, to amend section 12, lines 6 and 7 (printed bill, House 114:)

Strike out the words "one hospital clerk, three hundred and sixty dollars per annum."

Mr. PRINCE proposed an amendment Senate 5, to amend section 6 line 6, (of printed bill,) by \*adding after the \*372 word session: "Nor for more than two adjournments of any regular term."

These several amendments were agreed to and the bills as amended passed to be engrossed.

Subsequently Mr. COOMBS moved to reconsider the foregoing vote, and

*Ordered*, That the motion lie on the table and to-morrow at 11 o'clock A. M., be assigned for its consideration.

On motion by Mr. PRINCE,

Bill to prohibit the payment of any money from the treasury of the State for agricultural purposes, was taken from the table.

The same Senator proposed an amendment Senate No. 1, which was agreed to and the bill as amended passed to be engrossed.

Sent down for concurrence.

Mr. FERGUSON from the Committee of Conference, on the disagreeing votes of the two branches on resolve in favor of the Maine Industrial School for girls at Hallowell, reported the resolve in a new draft, and that it ought to pass.

The report was accepted, the resolve read twice and passed to be engrossed.

Sent down for concurrence.

On motion by Mr. MAYHEW,

The reports of the Committee on Printing and Binding, submitting certain contracts were taken from the table.

Mr. MAYHEW moved to amend the report of the majority by substituting therefor the report of the minority, and pending this question,

\*373 \* *Ordered*, that the reports lie on the table.

On motion by Mr. HARRIS,

Adjourned.

WEDNESDAY, FEBRUARY 26, 1879.

Prayer by the Chaplain.

The Journal of yesterday was approved.

Papers from the House :

Petition of members of Pushaw Grange No. 22, Patrons of Husbandry relating to freight, was referred to the next Legislature in concurrence.



Report of the Committee on Banks and Banking, on an order submitting bill to amend section 21, of chapter 46 of the revised statutes, relating to returns of bank and corporation stockholders ;

Report of the Committee on the Judiciary, on an order submitting bill relating to prosecutions for embezzlement ;

Report of the same Committee, on an order submitting bill in relation to grantees defending in certain suits against their grantors ;

Report of the Committee on Mercantile Affairs and Insurance, on an order submitting \*bill to amend section 19, \*374 chapter 49 of the revised statutes, relating to insurance ;

Report of the Committee on Education, on an order relating to a reduction of the per capita tax for school purposes, submitting bill to amend section 5, of chapter 11 of the revised statutes ;

Report of the Committee on Legal Affairs, on bill authorizing any ex-treasurer of State to amend his record, 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 State Valuation, on an order relating to a new State valuation, submitting resolve and bill :

Resolve to provide for State valuation ;

Bill in relation to the State valuation ;

Came from the House amended by substituting the report of a minority of said Committee, submitting a resolve :

Resolve to provide for State valuation ;

And the question of concurring with the House in amending by substituting the minority report, was determined in the negative, yeas 10, nays 16.

On motion by Mr. ELLIS,

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

Those who voted in the affirmative are :

Messrs. Barker, Ellis, Hawes, Patten, Roberts, Rogers of Penobscot, Rogers of Sagadahoc, Thomas, Thompson, Vinton:—10.

Those who voted in the negative are :

\*375 \*Messrs. Bradford, Chase, Cobb, Coombs, Duran, Furguson, Harris, Linn, Madigan, Mayhew, Moody, Morrison, Parlin, Prince, Redlon, Wait—16.

So the amendment was disagreed to.

The report was accepted.

The bill and resolve :

Bill in relation to the State valuation ;

Resolve to provide for State valuation ;

Were each read twice, the rules being suspended, and passed to be engrossed.

The Senate proceeded to the consideration of the motion by Mr. REDLON,

That the vote be reconsidered whereby the Senate refused to recede from its vote, passing to be engrossed bill to establish the salaries of certain public officers, and

On motion by Mr. REDLON,

*Ordered*, That three o'clock P. M. be assigned for the consideration of the motion.

The Senate proceeded to the consideration of the motion by Mr. COOMBS,

That the vote be reconsidered whereby the Senate passed to be engrossed bill establishing the salaries of certain State and county officers, and fixing the number and regulating the pay and compensation of certain State employees, specially assigned for eleven o'clock.

The vote was reconsidered.

Mr. COOMBS moved to reconsider the vote whereby the Senate disagreed to House amendment No. 1 to the foregoing bill, and this motion was determined in the affirmative, yeas 15, nays 13.

\*376 \*On motion by Mr. BARKER,

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

Those who voted in the affirmative are :

Messrs. Andrews, Bradford, Harris, Hawes, Linn, Madigan, Mayhew, Morrison, Redlon, Roberts, Rogers of Sagadahoc, Smith, Thomas, Thompson, Wait—15.

Those who voted in the negative are :

Messrs. Barker, Chase, Cobb, Coombs, Duran, Ellis, Furguson, Moody, Parlin, Patten, Prince, Rogers of Penobscot, Vinton—13.

So the vote was reconsidered.

The question returning on agreeing to said House amendment No. 1.

It was determined in the affirmative, yeas 15, nays 13.

On motion by Mr. VINTON,

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

Those who voted in the affirmative are :

Messrs. Andrews, Bradford, Harris, Hawes, Linn, Madigan, Mayhew, Morrison, Redlon, Roberts, Rogers of Sagadahoc, Smith, Thomas, Thompson, Wait—15.

Those who voted in the negative are :

Messrs. Barker, Chase, Cobb, Coombs, Duran, Ellis, Furguson, Moody, Parlin, Patten, Prince, Rogers of Penobscot, Vinton—13.

[NOTE. Mr. COOMBS voted *yes*, but subsequently changed to *no* by leave. See record afternoon session.]

So the amendment was agreed to.

Mr. FURGUSON proposed an amendment \*Senate No. \*377 6, which was agreed to, and the bill as amended passed to be engrossed.

Sent down for concurrence.

Mr. ROGERS of Sagadahoc presented the following :

Resolve in favor of Sprague, Owen & Nash ;

Resolve in favor of E. F. Pillsbury & Co. ;

Which were referred to the Committee on Financial Affairs.

Sent down for concurrence.

On motion by Mr. MORRISON,

Bill to amend chapter 93 of the private and special laws of 1878, was taken from the table, read twice, the rules being suspended and passed to be engrossed.

Sent down for concurrence.

On motion by Mr. VINTON,

*Ordered*, That a message be conveyed to the Governor requesting a return to the Senate of bill to incorporate the Moosehead Lake Telegraph Company.

The message was conveyed by the Secretary and the bill was returned to the Senate.

On motion by Mr. VINTON,

The votes whereby the bill passed to be enacted, and passed to be engrossed, were reconsidered, and

*Ordered*, That it lie on the table.

On motion by Mr. THOMAS,

Adjourned.

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\*378

\*AFTERNOON — HALF-PAST TWO O'CLOCK.

Mr. COOMBS stated that he had voted "yes" on the question of agreeing to House amendment No. 1, to bill establishing the salaries of certain State and county officers and fixing the number and regulating the pay and compensation of certain State employees, under consideration at the forenoon session; that he intended to have voted "no" and requested to be so recorded,

*Ordered*, That the request be granted, and that the Secretary amend his record accordingly. (See page 295.)

The Senate proceeded to the consideration of the motion by Mr. Redlon,

That the vote be reconsidered whereby the Senate refused to recede from its vote passing to be engrossed, bill to establish the

salaries of certain public officers, specially assigned for three o'clock.

And this motion was determined in the negative, yeas 11, nays 16.

On motion by Mr. ELLIS,

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

Those who voted in the affirmative are :

Messrs. Andrews, Barker, Bradford, Hawes Morrison, Redlon, Roberts, Thomas, Thompson, Vinton, Wait—11.

Those who voted in the negative are :

Messrs. Chase, Cobb, Coombs, Duran, Ellis, Furguson, \*Harris, Linn, Madigan, Mayhew, Moody, Patten, Prince, \*379 Rogers of Penobscot, Rogers of Sagadahoc, Smith—16.

So the motion was disagreed to.

*Resolved*, That the Senate insists.

Sent down for concurrence.

Papers from the House :

Report of the Committee on Ways and Means, submitting bill for the assessment of a State tax for the year one thousand eight hundred and seventy-nine, amounting to the sum of eight hundred ninety-nine thousand, six hundred ninety-two dollars and ninety cents, was accepted in concurrence, the bill read twice, the rules being suspended, and passed to be engrossed in concurrence.

On motion by Mr. ROGERS of Sagadahoc,

The vote was reconsidered whereby the Senate passed to be engrossed resolves to provide for State valuation.

The same Senator proposed an amendment, Sen. No. 1, to amend the seventh resolve by inserting after the word "three," the words "and a half."

And on the question of agreeing to the amendment.

It was determined in the affirmative, yeas, 16, nays 9.

On motion by Mr. ELLIS,

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

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Those who voted in the affirmative are :

Messrs. Andrews, Bradford, Cobb, Coombs, Duran, Furgu-  
\*380 son, Harris, Hawes, Madigan, Moody, \*Morrison, Prince,  
Roberts, Rogers of Sagadahoc, Smith, Thomas—16.

Those who voted in the negative are :

Messrs. Barker, Chase, Ellis, Linn, Mayhew, Patten, Rogers,  
of Penobscot, Thompson, Wait—9.

So the amendment was agreed to, and the resolve passed to be  
engrossed as amended.

Sent down for concurrence.

Mr. ROBERTS, from the Committee on Claims, on the peti-  
tion of Wm. N. Quinn and others, of Eagle Island plantation, for  
reimbursement of money expended for war purposes, reported  
that the petitioners have leave to withdraw.

Mr. LINN, from the Committee on Public Buildings, on an  
order relating to the better ventilation of the Representatives Hall,  
reported that they would not recommend any alteration or  
improvement for the better ventilation of the hall.

Mr. BARKER, from the Committee on Counties, submitted  
final report of said committee, that they have acted upon all mat-  
ters referred to them.

These reports were accepted.

Mr. Linn, from the Committee on Public Buildings, on an  
order, reported resolve to change the passage way in the Senate  
Chamber.

The report was accepted, the resolve read once, and to-morrow  
assigned for its second reading.

Mr. ROGERS of Sagadahoc, from the Committee on  
\*381 Financial Affairs, reported bill to provivde \*in part for the  
expenditures of government.

The report was accepted, the bill read twice the rules being sus-  
pended, and

On motion by Mr. ELLIS,

*Ordered*, That it lie on the table.

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On motion by Mr. MAYHEW,

The reports of the Committee on Printing and Binding, (majority and minority) submitting certain contracts to execute the binding for the State, were taken from the table.

The motion to substitute the minority for the majority report was determined in the negative.

The report was accepted, and the contract with Alexander J. Cameron was approved.

On motion by Mr. SMITH,

Resolve for the appointment of a commission to investigate the manner of taking porgies on the coast of Maine, and its effect upon the shore fisheries, was taken from the table.

Mr. ROGERS of Sagadahoc, proposed an amendment, Senate No. 1, by adding to the resolve as printed (Senate Print. Doc. 76,) after the fifth word in the third line the words "under oath," and "without regard to any parties in interest," after the word "investigate" in same line.

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

On motion by Mr. PARLIN,

Bill to regulate the taking and shooting of pigeons, was taken from the table.

The Senate receded from its vote passing \*the bill to be \*382 engrossed.

Mr. LINN proposed an amendment Senate, No. 1, which was agreed to, and the bill as amended passed to be engrossed.

Sent down for concurrence.

The Committee on Bills in the Second Reading, reported the following bills and resolve :

Bill to amend chapter 137 of the revised statutes, relating to the disposal of insane criminals ;

Bill in relation to suits for taxes ;

Bill to authorize Lewis Leadbetter, Jr. and Elisha C. Cooper to build a bridge over tide waters in the town of North Haven ;

Resolve concerning an amendment of the constitution of Maine ;

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

The same Committee reported the following bill :

Bill to amend section 7 of chapter 133 of the public laws of 1873, being an act to improve the jail system of the State, which was read a second time, House amendment "A," agreed to, and the bill as amended passed to be engrossed in concurrence.

The same Committee reported the following bill :

Bill to amend chapter 74 of the public laws of 1878, entitled an act in relation to the insolvent laws of Maine, which was read a second time, House amendment "A" was agreed to and the bill as amended passed to be engrossed in concurrence.

\*383 \*On motion by Mr. BRADFORD,

Resolve in favor of Edmund D. Wiggin, was taken from the table, pending the consideration of the question of concurring with the House in the indefinite postponement of the resolve.

On motion by Mr. THOMPSON,  
Adjourned.

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THURSDAY, FEBRUARY 27, 1879.

Prayer by the Chaplain.

The Journal of yesterday was approved.

Papers from the House :

Report of the Committee on Agriculture, on an order relating to the disease known as the glanders, submitting bill to amend chapter 14 of the revised statutes ;

Report of the Committee on Federal Relations, on a joint resolution, relating to the termination of articles 18 and 21 of the treaty of 1871 with Great Britain, that the same ought to pass ;

Report of the Committee on Financial Affairs on resolve abating State tax on township number 4, range 5, north of



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Bingham's Kennebec purchase, in Somerset county, that  
\*the same ought to pass ; \*384

Report of the Committee on the Judiciary, on the petition  
of John W. Munger relating to the sale of pews, submitting bill  
relating to the sale of pews ;

Report of the Committee on Legal Affairs, on bill to amend  
chapter 241 of the public laws of 1874, relating to cemeteries,  
that the same ought to pass ;

Were accepted in concurrence, the resolve and bills each read  
once, and to-morrow assigned for their second reading.

Report of the Committee on Legal Affairs, on bill to grant  
special powers to Sullivan school district, so called, in the town of  
Berwick, with the same in a new draft, and that it ought to pass,  
was accepted, the bill read twice, the rules being suspended, and  
passed to be engrossed in concurrence.

Resolve for an appropriation for the benefit of the State Library,  
was read twice, the rules being suspended, and passed to be  
engrossed in concurrence.

Bill in relation to the State valuation, and resolve to provide  
for State valuation, House 147, severally passed to be engrossed  
by the Senate, came from the House, and

That branch insists upon its vote amending the report of the  
majority by substituting therefor the report of the Committee of  
the minority, submitting resolve, House 148, and proposing a  
Committee of Conference, with

Messrs. Young of Brunswick, \*Wilson of Thomaston, \*385  
Spaulding of Richmond, appointed conferees.

*Resolved*, That the Senate insists upon its former vote, and  
Messrs. Bradford of Washington, Madigan of Aroostook,  
Moody of York, were appointed conferees on the part of the  
Senate.

Bill to establish the salaries of certain State officers, came up  
with House amendment "A," rejected in concurrence, further  
amended by striking out section 2, and as amended passed to be  
engrossed.

The Senate recessed and concurred.

Bill to amend section 10, of chapter 77 of the revised statutes, passed to be engrossed by the Senate came from the House indefinitely postponed, and

*Resolved*, That the Senate adheres.

Sent down for concurrence.

Bill to amend section 6, of chapter 115 of the revised statutes, entitled an act "salaries of public officers, and compensation of members of the government," amended and passed to be engrossed by the Senate, came from the House indefinitely postponed.

*Resolved*, That the Senate adheres.

Sent down for concurrence.

The following printed bill:

Bill to amend chapter 69 of the public laws of 1878, entitled an act to amend chapter 202 of the public laws of 1877, \*386 relating to normal schools, \*was read twice the rules being suspended.

Mr. FURGUSON presented an amendment Senate No. 1, to amend by striking out "twenty-two thousand five hundred, and" insert "twenty,"

The amendment was agreed to and the bill as amended passed to be engrossed.

Sent down for concurrence.

On motion by Mr. ROGERS of Sagadahoc,

*Ordered*, That the Secretary of the Senate be directed to make up the pay of Manley H. Pike, reporter of the National Democrat to the same amount as that of Charles A. Sprague, reporter of the Journal.

Mr. HAWES presented bill in relation to free high schools.

Mr. BARKER presented bill to amend the fifth chapter of the revised statutes, concerning public lands.

These bills were each read twice, the rules being suspended, and passed to be engrossed.

Sent down for concurrence.

On motion by Mr. VINTON,

The vote was reconsidered, whereby resolutions concerning an amendment of the constitution of Maine, relating to biennial sessions, were passed to be engrossed, and

*Ordered*, That the resolutions be laid on the table.

On motion by Mr. VINTON,

Bill to incorporate the Moosehead Lake Telegraph Company, was taken from the table.

The same Senator proposed to amend by substituting a new draft.

The amendment was agreed to, the bill \*in a new draft \*387 read twice, the rules being suspended, and passed to be engrossed.

Mr. ROBERTS, from the Committee on Claims, on the petition of Leonard Hilton and others of Kingsbury, for relief from pauper expenses, submitting resolve in favor of the town of Kingsbury.

The Committee on Bills, in the Second Reading, reported the following resolve :

Resolve to change the passage way in the Senate Chamber, which was read a second time and passed to be engrossed.

Sent down for concurrence.

The same Committee reported the following bills ;

Bill relating to prosecutions for embezzlements ;

Bill to amend section 19, chapter 49, of the revised statutes, relating to insurance ;

Bill to amend section 21, of chapter 46, of the revised statutes, relating to returns of bank and corporation stockholders ;

Bill in relation to grantees defending in certain suits against their grantors, which were each read a second time and passed to be engrossed in concurrence.

The same Committee reported the following bills :

Bill authorizing any ex-treasurer of State to amend his record ;

Bill to amend section 5 of chapter 11 of the revised statutes ;  
Which were each read a second time and indefinitely postponed  
in concurrence.

\*388 \*The Committee on Engrossed Bills, reported as truly and  
strictly engrossed the following bills and resolves :

An act to amend section 3 of chapter 116 of the revised statutes of Maine, entitled the regulation of fees and costs ;

An act authorizing Albert M. Bradley to dredge and navigate China pond ;

An act to amend section 12 of chapter 135 of the revised statutes, relating to placing convicts at labor ;

An act to amend section 17 of chapter 116 of the revised statutes, in relation to fees of register of deeds ;

Resolve making appropriation for the support of the Military Asylum at Bath ;

Resolve in favor of Baring and Houlton road across Indian Township and Grand Lake stream road in Washington county ;

An act regulating the duties of the clerks, registers and recording officers of the several counties in this State ;

Act to amend chapter 50, section 12 of the public laws of 1878, for the protection of game and birds ;

An act to amend chapter 75, of the public laws of 1878, entitled "an act to regulate and protect fisheries and the propagation of fish ;

Resolve in favor of State Prison.

These 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. ELLIS,

\*389 \*Bill to provide for the expenditures of government, was taken from the table.

The same Senator moved to amend by striking out the following items :

"Publishing Senate Journal, two hundred and fifty dollars. \$250.00.

Publishing House Journal, two hundred and fifty dollars.  
\$250.00."

On motion by Mr. PRINCE,

*Ordered*, That the Senate resolve into a Committee of the whole, for the purpose of considering the amendment.

Mr. PRINCE of Androscoggin was called to the chair in Committee of the whole.

Subsequently, Mr. PRINCE, chairman of the Committee of the Whole, reported that the Committee recommend that the items:

Publishing Senate Journal, two hundred and fifty dol-	
lars,	\$250.00

Publishing House Journal, two hundred and fifty dol-	
lars,	\$250.00

Stand as a part of the bill.

The question returning on agreeing to the amendment proposed by Mr. ELLIS, to strike out said items,

It was determined in the negative, yeas 6, nays 22.

On motion by Mr. ELLIS,

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

Those who voted in the affirmatives are :

Messrs. Barker, Chase, Ellis, Parlin, Roberts, Rogers of Penobscot—6.

Those who voted in the negative are :

\*Messrs. Andrews, Bradford, Cobb, Coombs, Duran, \*390  
Ferguson, Harris, Hawes, Linn, Madigan, Mayhew  
Moody, Morrison, Patten, Prince, Redlon, Rogers of Sagadahoc,  
Smith, Thomas, Thompson, Vinton, Wait—22.

So the amendment was disagreed to.

The bill passed to be engrossed.

The contract with Mr. Alexander J. Cameron to execute the binding for the State for the current year, approved by the Senate came from the House approved in concurrence, and was by the Secretary lodged in the office of the Secretary of State.

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On motion by Mr. THOMPSON,  
Adjourned.

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AFTERNOON—HALF-PAST TWO O'CLOCK.

Mr. THOMAS presented bill to incorporate the Crumple Club, which was read twice, the rules being suspended, and passed to be engrossed.

Sent down for concurrence.

On motion by Mr. SMITH,

*Ordered*, That Hon. James M. Andrews, Senator from York, be excused from further attendance after to-day, and that the Secretary make up his pay for the session.

Mr. ROGERS of Sagadahoc presented the following :

\*391 *Ordered*, That the Messenger of the Senate be, \*and is hereby instructed to obtain from the Secretary of State the usual amount of stationery and deliver to each member his proper proportion thereof.

And the question of its passage was determined in the affirmative, yeas 13, nays 12.

On motion by Mr. ROBERTS,

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

Those who voted in the affirmative are :

Messrs. Andrews, Cobb, Coombs, Furguson, Harris, Hawes, Madigan, Morrison, Rogers of Sagadahoc, Smith, Thomas, Thompson, Vinton—13.

Those who voted in the negative are :

Messrs. Bradford, Chase, Duran, Ellis, Linn, Mayhew, Parlin, Patten, Prince, Redlon, Roberts, Rogers of Penobscot—12.

So the order passed.

Resolve for the appointment of a commission to investigate the manner of taking porgies on the coast of Maine, and its effects

upon shore fisheries, passed to be engrossed by the Senate, came from the House indefinitely postponed.

*Resolved*, That the Senate insists upon its passage and proposes a Committee of Conference, and

Messrs. Smith of Lincoln, Thompson of Knox, and Thomas of Cumberland, were appointed conferees on the part of the Senate.

Sent down for concurrence.

Came back, and Messrs. Kimball of Bath, \*Moulton of \*392 Scarboro, Hodgkins of Lamoine, are appointed conferees on the part of the House.

Papers from the House :

Report of the Committee on Commerce, on an order submitting bill to regulate and define the liabilities of masters or owners of two boats, was accepted in concurrence, and

On motion by Mr. ANDREWS,

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

Report of the Committee on Civil Service Reform, on an order relating to regulating fees and costs, submitting bill to repeal chapter 62 of the laws of 1872, entitled "an act relating to the duties of sheriffs and county attorneys," was accepted, the bill read and referred to the next Legislature in concurrence.

Report of the Committee on Mercantile Affairs and Insurance, on bill relating to life insurance, that the same ought not to pass, came from the House amended by substituting the minority report that the bill ought to pass, and

*Resolved*, That the Senate adheres.

Report of the Committee on Printing and Binding, submitting certain contracts to execute the State printing, came up and the House insists upon its reference to the Governor and Council, and proposes a Committee of Conference, with

Messrs. Wilson of Thomaston, Moulton of Scarboro, Perry of Camden, \*appointed conferees. \*393

*Resolved*, That the Senate insists upon its approval of the contract with Messrs. Sprague, Owen and Nash, and concurs in the proposed conference, and

Messrs. Mayhew of Kennebec, Morrison of Franklin, Thomas of Cumberland, were appointed conferees on the part of the Senate.

Bill to punish tramps, passed to be engrossed by the Senate, came up indefinitely postponed.

The Senate receded and concurred.

Bill to amend chapter 27 of the public laws of 1872, relating to lien claims upon animals, came from the House, referred to the next Legislature.

The Senate receded and concurred.

Mr. ROGERS of Sagadahoc, presented the following :

Resolve relating to payment of the Superintendent of the Reform School ;

Resolve in favor of the Secretary of the Senate ;

Which were each read twice, the rules being suspended, and passed to be engrossed.

Sent down for concurrence.

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

An act to repeal chapters 115 and 124 of the acts of 1873.

This bill was passed to be enacted, and having been  
\*394 signed by the President, was by the \*Secretary presented to the Governor for his approval.

On motion by Mr. BRADFORD,

Resolve in favor of Edwin D. Wiggin was taken from the table.

The Senate non-concurred in the indefinite postponement of the resolve.

Mr. BRADFORD proposed an amendment, Senate No. 1, which was agreed to, and the resolve as amended passed to be engrossed.

Sent down for concurrence.



Mr. ROBERTS, from the Committee on Claims, submitted final report of said Committee that they have acted on all matters referred to them.

The report was accepted.

On motion by Mr. THOMAS,

*Ordered*, That when the Senate adjourns, it be to meet this evening at half-past seven o'clock.

On motion by Mr. PATTEN,

Adjourned.

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EVENING—HALF-PAST SEVEN O'CLOCK.

Papers from the House ;

Report of the Committee on Banks and Banking, on an order submitting bill to amend section 34, of chapter 6 of the revised statutes, relating to taxes, was accepted, the bill read twice, the rules being suspended, and passed to be engrossed in concurrence.

\*Report of the Committee on the Judiciary, on bill \*395 to amend chapter 6, section 40 of the revised statutes, that the same ought not to pass, came from the House amended by substituting the report of a minority of the Committee that the bill ought to pass.

The amendment was agreed to, the report accepted, the bill read once and referred to the next Legislature in concurrence.

Bill to amend chapter 69 of the public laws of 1878, entitled an act to amend chapter 202 of the public laws of 1877, relating to normal schools, amended and passed to be engrossed by the Senate, came from the House with Senate amendment amended by striking out the word "twenty" and inserting "eighteen."

The Senate receded and concurred.

Mr. SMITH, from the Committee of Conference, on resolve for the appointment of a commission to investigate the manner of taking porgies on the coast of Maine, and its effect upon shore

fisheries, reported that the Committee were unable to agree with the Committee on the part of the House and ask to be discharged.

The report was accepted.

On motion by Mr. COOMBS,

*Ordered*, That Hon. Wm. W. Wait, Senator from Oxford, be excused from further service after Friday next, and that the Secretary be instructed to make up his pay for the session with the usual mileage.

On motion by Mr. ANDREWS,

*Ordered*, The House concurring, that the Superintendent \*396 of Public Buildings, cause to be \*placed at the landing of each flight of steps leading from the State House to State street, one gas light, the same to be put in place before the meeting of the Legislature for 1880,

Sent down for concurrence.

Came back concurred.

Paper from the House :

Report of the Committee on county estimates on the estimates of the several counties, submitting

Resolve laying a tax on the counties of the State, was accepted, the resolve read twice, the rules being suspended, and passed to be engrossed in concurrence.

The Committee on Bills in the Second Reading, reported the following bills and resolves :

Bill to amend chapter 14 of the revised statutes (relating to the disease known as the glanders) ;

Bill relating to sale of church pews ;

A joint resolution relating to the termination of articles 18 and 21 of the treaty of 1871 with Great Britain ;

Resolve abating State tax on township number four, range five, north of Bingham's Kennebec Purchase, in Somerset county ;

Bill to amend chapter 241 of the public laws of 1874, relating to cemeteries ;

On motion by Mr. BRADFORD,

The votes were reconsidered whereby the Senate assigned tomorrow for the second reading of the foregoing bills and resolves, and the same were each read a second time, and passed to be engrossed in concurrence.

The Committee on Engrossed Bills reported \*as truly and \*397 strictly engrossed the following bills :

An act to provide in part for the expenditures of government ;

An act to amend chapter 48 of the revised statutes, relating to corporations under the general law ;

An act to authorize the inhabitants of Bowerbank to raise, assess and collect money to pay their outstanding liabilities when disorganized ;

An act allowing Charles W. Stimpson, Jr., to extend a wharf into tide waters in the Georges river ;

An act relating to lien claims ;

An act to amend chapter 51, section 80 of the revised statutes, relating to voting on the question of loaning money ;

An act to amend chapter 133 of the public laws of 1876, relating to criminal prosecutions ;

An act to authorize certain cities and towns to pay the bonds issued in aid of the Knox & Lincoln Railroad Company, and to issue new bonds for that purpose ;

An act to establish the police court of the city of Belfast, and abolish the Belfast municipal court ;

An act to repeal an act to authorize the Protestant Methodist church of North Gorham, to sell and convey all its real estate ;

An act to incorporate the Moose River Log Driving Company ;

An act to incorporate the Farmers Bank ;

These bills were each passed to be enacted \*and having \*398 been signed by the President, were by the Secretary presented to the Governor for his approval.

On motion by Mr. ELLIS,

Resolution concerning an amendment of the Constitution of Maine, (relating to biennial sessions and elections) was taken from the table.

Mr. MORRISON moved to amend the second resolve (as printed House Doc. 125) by striking out all after the word "legislature," in the eleventh line, and inserting in place thereof, the words "and that the Governor and other State officers shall be elected on the second Monday of September biennially."

Mr. COBB moved to amend as follows :

Strike out all of the first resolve after the word "election" in the 38th line (as printed) and insert in place thereof the following : "Section seven, article six, and section two, article ten, are hereby amended by striking out the word 'annual' and insert in place thereof the word 'biennial.' "

These amendments were agreed to, and pending the passage of the resolves to be engrossed, after discussion,

On motion by Mr. ROGERS of Sagadahoc,

Adjourned.

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\*399

\*FRIDAY, FEBRUARY 28, 1879.

Prayer by the Chaplain.

The Journal of yesterday was approved.

On motion by Mr. COBB,

Resolutions concerning an amendment of the Constitution of Maine, relating to biennial elections and sessions, House Doc. 125, was taken from the table, and on the question of its passage a two-thirds vote being required, the yeas and nays were called, and

Those who voted in the affirmative are :

Messrs. Barker, Bradford, Chase, Cobb, Coombs, Duran, Ellis, Fergusson, Harris, Linn, Madigan, Mayhew, Moody, Morrison, Parlin, Patten, Prince, Redlon, Roberts, Rogers of Penobscot, Thomas, Thompson, Wait—23.

Those who voted in the negative are :

Messrs. Hawes and Vinton—2.

So the resolves passed to be engrossed.

Mr. BRADFORD, from the Committee of Conference, on the disagreeing votes of the two branches on the report of the Com-

mittee on State Valuation, reported that the Committee was unable to agree with the Committee on the part of the House.

The report was accepted.

Paper from the House :

Report of the Committee on Banks and Banking, on the annual report of the Bank Examiner, submitting

Bill to repeal chapter 55 \*of the public laws of 1878, relat- \*400  
ing to savings banks, was accepted, the bill read and indefinitely postponed in concurrence.

On motion by Mr. HARRIS,

The Senate took a recess until eleven o'clock A. M.

On motion by Mr. ELLIS,

Adjourned.

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AFTERNOON — HALF-PAST TWO O'CLOCK.

Papers from the House :

Report of the Committee on the Judiciary, on an order relating to jury fees, that legislation thereon is inexpedient, was accepted in concurrence ;

Report of the Committee on Railroads, on the report of the Railroad Commissioners, submitting bill to prevent the obstruction of business on certain public corporations, was accepted, the bill read and indefinitely postponed in concurrence ;

Report of the Committee on the Judiciary, on an order submitting bill to modify and limit the liability of towns and cities in actions for damages, by reason of defective highways, was accepted in concurrence, the bill read twice the rules being suspended, House amendment No. 1 was agreed to, and the bill as amended passed to be engrossed in concurrence.

Resolves authorizing a temporary loan, was \*read twice \*401  
and passed to be engrossed in concurrence.

Bill to further define the duties of the clerks of cities, towns and plantations ;

Bill additional to an act to incorporate the Maine Universalist Convention ;

Were each read twice, the rules being suspended and passed to be engrossed in concurrence.

Bill to regulate the terms for jury trials in the Superior court, for the county of Cumberland, and to transfer the criminal jurisdiction of said court to the supreme judicial court, passed to be engrossed by the Senate, came from the House indefinitely postponed.

*Resolved*, That the Senate insists upon the passage of the bill to be engrossed, and proposes a Committee of Conference, and

Messrs. Vinton of Cumberland, Thomas of Cumberland, Hawes of Cumberland, were appointed conferees.

Sent down for concurrence.

Bill to amend section 13 of chapter 41 of the revised statutes, relating to the sale of coal, indefinitely postponed by the Senate in concurrence, and subsequently sent to the House by request from that branch, came back passed to be engrossed.

The Senate receded and concurred.

Report of the Committee on Legal Affairs, on bill to amend section 19 of chapter 81 of the revised statutes, relating to civil actions, that the same ought to pass, was accepted, the \*402 bill \*read and indefinitely postponed in concurrence.

Report of the Committee on the Judiciary, on bill additional relating to trustee process, that the same ought not to pass, came from the House amended by substituting the report of a minority of the Committee that the bill ought to pass.

The amendment was agreed to, the report accepted, and the bill was referred to the next Legislature in concurrence.

Subsequently the foregoing vote was reconsidered, and

*Resolved*, That the bill be indefinitely postponed.

Sent down for concurrence.

Report of the Committee on State Lands and State Roads, on the petitions of sundry persons for an appropriation to build a

bridge over St. John river at Van Buren, submitting bill to authorize the building of a bridge across the St. John river at Van Buren, was accepted, the bill read and referred to the next Legislature in concurrence.

Minority report of the Committee on the Judiciary, on a bill fixing the rate of interest, came from the House accepted, and the bill referred to the next Legislature.

The Senate non-concurred, and

*Resolved*, That the report be indefinitely postponed.

Sent down for concurrence.

On motion by Mr. THOMAS,

*Ordered*, That Hon. David Duran, Senator from Cumberland, be excused from attendance \*after to-day, \*403 and that the Secretary make up his pay for the session.

Mr. HAWES, from the Committee on Financial Affairs, on an order of the Legislature of 1878, relating to the appointment of a commission to revise the valuation and taxation of the State, reported that the same be referred to the next Legislature.

The report was accepted.

Sent down for concurrence.

Mr. HAWES, from the Committee on Financial Affairs, on the following resolves :

Resolve in favor of Sprague, Owen & Nash ;

Resolve in favor of E. F. Pillsbury & Co. ;

Reported that the same ought to pass.

The reports were accepted, the resolves each read twice, the rules being suspended, and passed to be engrossed.

Sent down for concurrence.

On motion by Mr. MOODY,

The Senate took a recess until half-past four o'clock P. M.

HALE-PAST FOUR O'CLOCK.

On motion by Mr. ROGERS of Sagadahoc,

The Senate took a further recess until five o'clock P. M.

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FIVE O'CLOCK.

Papers from the House.

Report of the Committee on Judiciary, on bill to amend  
\*404 chapter 24 of the revised statutes \*relating to paupers,  
their settlement and support, that the same ought to pass,  
was accepted, the bill read twice, the rules being suspended, and  
passed to be engrossed in concurrence.

Bill to amend the fifth chapter of the revised statutes, concern-  
ing public lands, passed to be engrossed by the Senate, came from  
the House referred to the next Legislature.

On motion by Mr. BARKER,

*Resolved*, That the Senate insists upon its former vote and pro-  
poses a Committee of conference, and

Messrs. Barker of Penobscot, Patten of Penobscot, Ellis of  
Waldo, were appointed Conferees on the part of the Senate.

Sent down for concurrence.

On motion by Mr. ROGERS of Sagadahoc,

*Ordered*, That when the Senate adjourns it be to meet this  
evening at eight o'clock.

On motion by Mr. THOMAS,

*Ordered*, That Hon. Moses S. Mayhew, Senator from Kenne-  
bec, be excused from attendance after to-day, and that the Secre-  
tary make up his pay for the session.

Mr. THOMPSON presented bill to authorize Roscoe K. Ben-  
ner and others, to build a wharf in the tide waters of Delano's  
cove in the town of Friendship, which was read twice, the rules  
being suspended, and passed to be engrossed.

Sent down for concurrence.

\*405 \*On motion by Mr. HARRIS,

Bill to regulate and define the liabilities of masters and  
owners of tow boats was taken from the table, and

*Resolved*, That it be indefinitely postponed in concurrence.



Mr. MAYHEW, from the Committee of Conference, on the disagreeing votes of the two branches on the reports of the Committee on Printing and Binding, reported that the Committee were unable to agree with the Committee on the part of the House, and recommend that the Senate insist upon its vote approving the contract with Messrs. Sprague, Owen & Nash, the lowest bidder.

The report was accepted.

On motion by Mr. FURGUSON,  
Adjourned.

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EVENING.

Papers from the House :

Report of the Committee on the Judiciary, on the petition of W. E. Gibbs and others, for repeal of the law for imprisonment for debt, that the petitioners have leave to withdraw, came from the House amended by substituting the minority report of the Committee, submitting bill to abolish imprisonment for debt.

On the question of concurring with the House in amending the report, it was determined in the negative, yeas 13, nays 13.

\*On motion by Mr. ROBERTS, \*406

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

Those who voted in the affirmative are :

Messrs. Barker, Chase, Cobb, Ellis, Linn, Parlin, Patten, Redlon, Roberts, Rogers of Penobscot, Rogers of Sagadahoc, Thomas, Thompson—13.

Those who voted in the negative are :

Messrs. Bradford, Coombs, Duran, Furguson, Harris, Madigan, Mayhew, Moody, Morrison, Prince, Smith, Vinton, Wait—13.

So the amendment was disagreed to.

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, and passed to be engrossed in concurrence.

On motion by Mr. ROBERTS,

*Ordered*, That Hon. Nelson Thompson, Senator from Knox, be excused from attendance after to-day, and that the Secretary make up his pay for the session.

Mr. HAWES presented resolve to provide for blanks for State valuation, which was read once, and

*Ordered*, That it lie on the table.

Mr. ROGERS of Sagadahoc, presented resolve in favor of the State Treasurer, which was read twice, the rules being suspended, and

On motion by Mr. PATTEN,

That the resolve be indefinitely postponed, it was determined in the affirmative, yeas, 22, nays 5.

\*407 \*On motion by Mr. ROGERS of Sagadahoc,

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

Those who voted in the affirmative are :

Messrs. Barker, Chase, Cobb, Coombs, Duran, Ellis, Furguson, Harris, Hawes, Linn, Mayhew, Moody, Parlin, Patten, Prince, Redlon, Roberts, Rogers of Penobscot, Thomas, Thompson, Vinton, Wait—22.

Those who voted in the negative are :

Messrs. Bradford, Madigan, Morrison, Rogers of Sagadahoc, Smith—5.

So the resolve was indefinitely postponed.

On motion by Mr. PRINCE,

*Ordered*, That Hon. John F. Furguson, Senator from York, be excused from attendance after to-day, and that the Secretary make up his pay for the session.

Mr. THOMPSON asked leave to present the following

Resolves providing for State paper :

Whereas, The publishers of the Maine Standard, a newspaper printed at Augusta, have offered to publish in said paper all laws, advertisements, resolves, orders, and notices required to be pub-

lished in the State paper, for the current political year, at a discount of twenty-five per cent. from the rates heretofore paid to the publishers of the Kennebec Journal :

*Resolved*, That the said Maine Standard is hereby constituted and declared to be the State paper of this State, in which all matters shall be published required by law to be published in the State paper, at the rates named.

*Resolved*, That all resolves, or parts of resolves, inconsistent herewith, be and the same are hereby repealed, *provided*, that the Kennebec Journal shall be continued the State paper so long as may be necessary to complete the publication of any order or notice already inserted in said paper and for no other purpose.

*Resolved*, That these resolves shall take effect from and after their approval by the Governor.

And on the question of granting leave to introduce the foregoing resolves it was determined in the negative, yeas 13, nays 14.

On motion by Mr. PATTEN,

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

Those who voted in the affirmative are :

Messrs. Barker, Bradford, Chase, Coombs, Ellis, Furguson, Linn, Madigan, Parlin, Patten, Roberts, Rogers of Penobscot, Thompson—13.

Those who voted in the negative are :

Messrs. Cobb, Duran, Harris, Hawes, Mayhew, Moody, Morrison, Prince, Redlon, Rogers of \*Sagadahoc, Smith, \*408 Thomas, Vinton, Wait—14.

So leave to present the resolve was refused.

On motion by Mr. MAYHEW,

Adjourned.

SATURDAY, MARCH 1, 1879.

Prayer by the Chaplain.

The Journal of yesterday was approved.

Mr. HAWES, from the Committee on Financial Affairs, presented resolve on the pay-roll of the Senate, which was read twice, the rules being suspended.

Mr. ROBERTS proposed an amendment, Senate No. 1, to amend by striking out "three hundred and four" and insert "one hundred and fifty-four," (relating to pay of reporters.)

The question of agreeing to this amendment it was determined in the affirmative, yeas 14, nays 8.

On motion by Mr. PATTEN,

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

Those who voted in the affirmative are :

\*409 \*Messrs. Barker, Chase, Cobb, Coombs, Ellis Furguson, Harris, Linn, Mayhew, Parlin, Patten, Prince, Roberts, Rogers of Penobscot—14.

Those who voted in the negative are :

Messrs. Bradford, Hawes, Madigan, Morrison, Rogers of Sagadahoc, Smith, Thomas, Vinton—8.

So the amendment was agreed to.

Subsequently on motion by Mr. FURGUSON,

That the foregoing vote be reconsidered, it was determined in the affirmative, yeas 12, nays 11.

On motion by Mr. ROBERTS,

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

Those who voted in the affirmative are :

Messrs. Bradford, Furguson, Hawes, Haynes, Madigan, Morrison, Prince, Redlon, Rogers of Sagadahoc, Smith, Thomas, Vinton—12.

Those who voted in the negative are :

Messrs. Barker, Chase, Cobb, Coombs, Ellis, Harris, Linn, Parlin, Patten, Roberts, Rogers of Penobscot—11.

So the vote was reconsidered.

The amendment was disagreed to.

Mr. ELLIS proposed to amend the pay-roll by striking out the various sums set against the names of the Secretary and the other officers of the Senate, and insert instead the several sums as provided in an act fixing the salaries of certain public officers and compensation of certain members of the government.

And on the question of agreeing to this amendment, \*it \*410 was determined in the negative, yeas 3, nays 19.

On motion by Mr. ELLIS,

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

Those who voted in the affirmative are :

Messrs. Ellis, Roberts, Rogers of Penobscot—3.

Those who voted the negative are :

Messrs. Barker, Bradford, Chase, Cobb, Coombs, Furguson, Harris, Hawes, Linn, Madigan, Mayhew, Morrison, Parlin, Patten, Prince, Rogers of Sagadahoc, Smith, Thomas, Vinton—19.

So the amendment was disagreed to.

Mr. THOMAS proposed to amend the pay roll in item :

“Edwin C. Hendee, \$100.00,” by striking out “100.00” and inserting “150.00.”

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

Sent down for concurrence.

Came back concurred.

On motion by Mr. HAWES,

Resolve to provide for blanks for state valuation, was taken from the table.

The resolve was read a second time and passed to be engrossed.

Sent down for concurrence.

Papers from the House :

Bill in relation to State valuation was 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 \*bill to regulate the terms for jury trials in the Superior Court for the county of Cumberland, and to transfer the criminal jurisdiction of said court to the Supreme Judicial Court, that the House recede and concur with the Senate, came from the House rejected.

The Senate non-concurred, accepted the report, and

*Resolved*, That the Senate adheres to the passage of the bill.

Resolve on the pay roll of the House, 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 :

An act relating to prosecutions for embezzlement ;

An act in relation to suits for taxes ;

An act to incorporate the Moosehead Lake Telegraph Company ;

An act in relation to free High schools ;

An act to amend chapter 93 of the private and special laws of 1878 ;

An act to incorporate the Crumple Club ;

An act to provide process for the removal of unworthy attorneys ;

An act relating to bondholders of the Portland & Rochester Railroad ;

An act to authorize Lewis Leadbetter, Jr., and Elisha C. Cooper to build a bridge over tide waters in the town of North Haven ;

An act to amend chapter 27, section 26 of the public laws of 1878, in relation to lime rock and slate ;

\*412 \*Resolve for the purchase of the Maine State Year Book and Legislative Manual ;

Resolve in favor of the Maine Industrial School at Hallowell ;

Resolve relating to settling lands in Perham plantation ;

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An act to regulate the taking and shooting of pigeons ;

An act to amend chapter 14 of the revised statutes ;

An act to establish the salaries of certain public officers ;

An act to amend section 21 of chapter 46 of the revised statutes relating to returns of bank and corporation stockholders ;

An act to amend chapter 75 of the public laws of 1878, relating to fisheries and the propagation of fish ;

An act to amend section 19, chapter 49 of the revised statutes relating to insurance ;

An act to amend chapter 80 of the special laws of 1878, entitled an act to provide schools for the training of teachers in Madawaska territory ;

An act to prohibit the payment of any money from the Treasury of the State for Agricultural purposes ;

An act in relation to grantees, defending in certain suits against their grantors ;

An act establishing the salaries of certain State and county officers and fixing the number and regulating the pay and compensation of certain State employees ;

An act to amend chapter 74 of the public laws of 1878, \*413 entitled an act in relation to the insolvent laws of Maine ;

An act to amend chapter 241 of the public laws of 1874, relating to cemeteries ;

An act to amend chapter 24 of the revised statutes relating to paupers, their settlement and support ;

An act to amend chapter 185 of the public laws of 1877, relating to life insurance ;

An act to provide in part for the expenditures of government ;

An act to modify and limit the liabilities of towns and cities, in actions for damages by reason of defects in highways ;

An act additional to chapter 92 of the revised statutes, concerning mills and mill dams ;

An act to further define the duties of the clerks of cities, towns, and plantations ;

An act additional to an act to incorporate the Maine Universalist Convention.

An act to amend chapter 69 of the public laws of 1878, entitled an act to amend chapter 202 of the public laws of 1877, relating to normal schools ;

An act to authorize Roscoe K. Benner and others, to build a wharf in the tide waters of Delano's cove in the town of Friendship ;

An act to amend section 13, of chapter 41 of the revised statutes, relating to the sale of coal ;

An act to amend section 34, of chapter 6 of the revised statutes, relating to taxes ;

An act relating to sale of church pews ;

\*414 \*Resolve in favor of Edmund D. Wiggin ;

Resolve in favor of Sprague, Owen & Nash ;

Resolve to change the passage way in the Senate Chamber ;

Resolve authorizing a temporary loan ;

Resolve in favor of the Secretary of the Senate ;

Resolve to amend chapter 154 of the resolves of 1870, entitled a resolve in favor of Maine Central Institute ;

Resolve relating to payment of the Superintendent of Reform School ;

Resolve in favor of E. F. Pillsbury & Co. ;

Resolve in favor of Mrs. Ellebert Michaud ;

Resolve in favor of the town of Kingsbury ;

A joint resolution relating to the termination of articles 18 and 21 of the treaty of 1871, with Great Britain ;

These bills were each passed to be enacted and the resolves and joint resolution 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 of Sagadahoc,

*Ordered*, That when the Senate adjourns it be to meet this afternoon at 2 o'clock.

On motion by the same Senator,

Adjourned.



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\*AFTERNOON — TWO O'CLOCK.

\*415

On motion by Mr. THOMAS,

*Ordered*, That Hon. Alden Bradford, Senator from Washington, be excused from attendance after to-day and that the Secretary make up his pay for the session.

On motion by Mr. THOMAS,

*Ordered*, That Hon. Archibald Linn, Senator from Somerset, be excused from attendance after to-day and that the Secretary make up his pay for the session.

On motion by Mr. THOMAS,

*Ordered*, That when the Senate adjourns it be to meet on Tuesday next at 10 o'clock A. M.

On motion by Mr. ROGERS of Sagadahoc,  
Adjourned.

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TUESDAY, MARCH 4, 1879.

Prayer by Rev. Mr. STERLING of Augusta.

The Journal of Saturday was approved.

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

\*Resolutions concerning an amendment of the Constitu- \*416  
tion of Maine, (relating to biennial sessions and elections ;)

And the question of their final passage was determined in the affirmative, yeas 15, nays 2.

And a two-thirds vote being required on a call of the yeas and nays,

Those who voted in the affirmative are :

Messrs. Barker, Chase, Duran, Ellis, Fergusson, Madigan, Mayhew, Moody, Morrison, Parlin, Patten, Prince, Redlon, Roberts, Rogers of Penobscot—15.

Those who voted in the negative are :

Messrs. Hawes and Vinton—2.

So the resolutions finally passed in concurrence, and having been signed by the President were by the Secretary presented to the Governor for his approval.

Paper from the House :

Resolve for an investigation relating to the accounts and charges of Sprague, Owen & Nash, for State printing, was read twice, the rules being suspended.

House amendment "B" to House amendment "A" was agreed to ; House amendment "A" as amended was agreed to.

Mr. Vinton proposed to amend by striking out the words "publicly charged," and insert instead thereof the words "charged by the National Democrat."

\*417 The amendment was agreed to, and 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 bill :

An act to amend the 5th chapter of the revised statutes, concerning public lands.

And the question of its passage to be enacted was determined in the negative, yeas 7, nays 13.

On motion by Mr. VINTON,

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

Those who voted in the affirmative are :

Messrs. Barker, Chase, Ellis, Parlin, Patten, Roberts, Rogers of Penobscot—7.

Those who voted in the negative are :

Messrs. Cobb, Duran, Furguson, Hawes, Madigan, Mayhew, Moody, Morrison, Prince, Redlon, Rogers of Sagadahoc, Thomas, Vinton—13.

So the bill was refused a passage.

Sent down for concurrence.

Came back concurred.

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

An act to provide in part for the expenditures of government ;

An act to amend section 7 of chapter 133 of the public laws of 1873, being an act to improve the jail system of the State ;

An act to incorporate the Union Accident Insurance Company ;

\*An act additional to and amendatory of chapter 24 of \*418 the revised statutes, in relation to the support of paupers in unincorporated places ;

An act in relation to the State valuation ;

An act additional relating to appeals in criminal cases ;

An act to grant special powers to Sullivan School District, so-called, in the town of Berwick ;

An act to amend chapter 137 of the revised statutes, relating to the disposal of insane criminals ;

Resolve laying a tax on the counties of the State ;

Resolve to provide for blanks for State valuation ;

Resolve for an appropriation for the benefit of the State Library ;

Resolve abating State tax on township number 4, range 5, north of Bingham's Kennebec purchase, in Somerset county ;

Resolve on the pay-roll of the House ;

Resolve on the pay-roll of the Senate ;

Joint resolutions in relation to the navigation and bridging of the rivers St. John and St. Francis, where said rivers are the line of boundary between the United States and the Dominion of Canada ;

An act for the assessment of a State tax for the year 1879, amounting to the sum of eight hundred, ninety-nine thousand, six hundred ninety-five dollars and ninety cents ;

These bills were each passed to be enacted \*and the resolves \*419 and joint resolution 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. ELLIS,

*Ordered*, That when the Senate adjourns it be to meet this afternoon at two o'clock.

On motion by Mr. ELLIS,  
Adjourned.

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AFTERNOON.

The following communication was received from the Governor :

STATE OF MAINE,  
EXECUTIVE DEPARTMENT, Augusta 187 . }

*To the President of the Senate :*

In compliance with the Constitution of the State, I herewith return, without my approval, the resolve on the pay-roll of the Senate, which originated in the body over which you preside, endorsed by you as having finally passed the same on this day, and by the Speaker of the House of Representatives on the first instant, and for the following reasons to wit :

The Constitution of the State, article 4, section 7, provides " that the Senators and Representatives shall receive such compensation as shall be established by law ; but no law increasing their compensation shall take effect during the existence of the Legislature which enacted it." \*Chapter 115, section 6 of the revised statutes provides that " each member of the Senate and House of Representatives shall be paid a salary of one hundred and fifty dollars for the regular annual session of the Legislature, and two dollars for every ten miles travel from his place of abode once in each session. He is entitled to mileage on the first day of the session and fifty dollars of his salary on the first day of each month, thereafter, during the session and the balance at the end thereof." An examination of this roll exhibits the fact that against the name of each and every member his mileage is reckoned at four dollars for each and every ten miles travel, instead of two dollars as expressly limited by law.

Article 5, section 12 of the Constitution of the State enjoins upon the Executive the duty to take care that the laws be faithfully executed, and in the discharge of this duty I cannot consent to approve an act or resolve so openly and manifestly a violation of the law, the spirit and letter of the Constitution, as well as the usages, not only of the framers of that instrument, but of all subsequent Legislatures for a period of more than fifty years

(Signed)

ALONZO GARCELON, *Governor.*

The communication was read, and the Senate proceeded to the consideration of the resolve on the pay-roll of the Senate, and the question

\*Shall the resolve finally pass, the objections of the Gov- \*421  
ernor to the contrary notwithstanding.

Was determined in the negative, yeas 1, nays 19.

And the yeas and nays being required, the Senator who voted in the affirmative is:

Mr. Rogers of Sagadahoc.

Those who voted in the negative are:

Messrs. Barker, Chase, Cobb, Duran, Ellis, Furguson, Hawes, Madigan, Mayhew, Moody, Morrison, Parlin, Patten, Prince, Redlon, Roberts, Rogers of Penobscot, Thomas, Vinton—19.

So the resolve was refused a passage, and the objections of the Governor sustained.

Mr. MAYHEW presented bill to amend chapter 10 of the public laws of 1878, which was read twice, the rules being suspended, and passed to be engrossed.

Sent down for concurrence.

On motion by Mr. THOMAS,

The vote was reconsidered, whereby the Senate passed to be engrossed

Resolve for an investigation relating to the accounts and charges of Sprague, Owen & Nash for State printing.

The same Senator proposed to amend (Sen. No. 2) by inserting after the words "two practical printers," the words "one of whom shall be a republican and the other of some opposite political party."

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

\*Sent down for concurrence.

\*422

Came back concurred.

On motion by Mr. VINTON,

*Ordered*, That the Secretary make up the travel of members for

all the miles traveled "to the Legislature and returning therefrom" as provided in section 7, article 4 of the Constitution.

In conformity with the foregoing order, the Secretary laid before the Senate a pay-roll of the members and officers, with

Resolve on the pay-roll of the Senate, which was read twice, the rules being suspended, and on the question of its passage to be engrossed,

It was determined in the affirmative, yeas 10, nays 9.

On motion by Mr. COBB,

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

Those voted in the affirmative are :

Messrs. Duran, Furguson, Madigan, Mayhew, Moody, Morrison, Redlon, Rogers of Sagadahoc, Smith, Vinton—10.

Those who voted in the negative are :

Messrs. †Barker, Cobb, Ellis, Hawes, Parlin, Patten, Prince, Roberts, Rogers of Penobscot—9.

So the pay-roll and the resolve thereon passed to be engrossed.

Sent down for concurrence.

Came back concurred,

\*423 †Mr. Barker was out of his seat, but subsequently \*was granted leave to have his name recorded in the negative. See record morning session, March 5, 1879, page 332.

Papers from the House :

Pay-roll of the House and resolve on the pay-roll of the House, was read twice, the rules being suspended, and the question of passing the resolve to be engrossed,

Was determined in the affirmative, yeas 10, nays 8.

On motion by Mr. PATTEN,

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

Those who voted in the affirmative are :

Messrs. Cobb, Duran, Furguson, Mayhew, Morrison, Prince, Redlon, Rogers of Sagadahoc, Smith, Vinton—10.

Those who voted in the negative are :

Messrs. Barker, Chase, Ellis, Hawes, Parlin, Patten, Roberts, Rogers of Penobscot—8.

So the pay roll and resolve thereon passed to be engrossed in concurrence.

On motion by Mr. PATTEN,

*Ordered*, That when the Senate adjourns, it be to meet this evening at seven o'clock.

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

An act to amend chapter ten of the public laws of 1878.

This bill passed to be enacted in concurrence, and having been signed by the President was by the Secretary presented to  
\*the Governor for his approval. \*424

On motion by Mr. PATTEN,  
Adjourned.

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EVENING.

Mr. VINTON presented resolve relating to the mileage of members, which was read twice, the rules being suspended and passed to be engrossed.

Sent down for concurrence.

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

Resolve on the pay-roll of the Senate ;

Resolve for an investigation relating to the accounts and charges of Sprague, Owen & Nash for State printing ;

Resolve relating to the mileage of members ;

These resolves finally passed in concurrence, and having been signed by the President, were by the Secretary presented to the Governor for his approval.

Order from the House :

STATE OF MAINE,  
HOUSE OF REPRESENTATIVES, March 4, 1879. }

Whereas, There is a difference of opinion as to the amount each member of the Senate and House of Representatives should receive for mileage, therefore

\*425 *Ordered*, The Senate concurring \*that the Governor be requested to obtain the opinion of the justices of the Supreme Judicial Court upon the question of mileage due to each member and officer of the present Legislature, and that when said opinion is so received by him, the Treasurer of the State be directed to make up the mileage in accordance with said opinion, and that the Governor be authorized to draw his warrant therefor, and said amount shall be forwarded by the Treasurer to each member and officer of the present Legislature, and that said justices be requested to answer the following further inquiry :

What travel are the members of the Senate and House of Representatives of the fifty-eighth Legislature, entitled to receive under the Constitution and laws of the State ?

Provided however, that nothing herein contained shall prevent the State Treasurer from paying, and he is hereby authorized to pay the members and officers of the present Legislature, mileage at the rate of two dollars for every ten miles actually travelled by such members and officers one way from their place of abode to Augusta.

On motion by Mr. ELLIS,

Adjourned.

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\*426

\*WEDNESDAY, MARCH 5, 1879.

Prayer by Rev. Mr. STERLING of Augusta.

The Journal of yesterday was read.

Mr. BARKER asked to have his name recorded in the negative on resolve on the pay-roll of the Senate, passed at the afternoon session of yesterday.

*Ordered*, That the Secretary record the name of Mr. Barker in the negative on said vote.



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

Resolve on the pay-roll of the House ;

The resolve finally passed in concurrence and having been signed by the President, was by the Secretary presented to the Governor for his approval.

A message was received from the House of Representatives by Mr. Dana of Portland, informing the Senate, that the House has disposed of all business before it and is ready to adjourn without day at 12 o'clock.

On motion by Mr. VINTON,

*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 concurs in the proposition to adjourn without day at 12 o'clock.

On motion by Mr. VINTON,

\* *Ordered*, That the Justices of the Supreme Judicial \*427 Court be and hereby are requested to give their opinion as to the amount of compensation and mileage members of this Legislature are entitled to receive under the Constitution and existing laws, and communicate said opinion to the President of the Senate.

Paper from the House :

STATE OF MAINE, }  
HOUSE OF REPRESENTATIVES, March 5, 1879. }

*Ordered*, The Senate concurring, that the Treasurer of State be authorized and directed to pay each officer and member of this Legislature, whose names appear in the accompanying rolls, the sum due to each as salary and travel under the laws of this State,

This order came up "read and passed," and was read, and the question of its passage was determined in the affirmative, yeas 13, nays 6.

On motion by Mr. ELLIS,

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

Those who voted in the affirmative are :

Messrs. Barker, Cobb, Duran, Hawes, Madigan, Mayhew, Moody, Morrison, Prince, Redlon, Rogers of Sagadahoc, Smith, Vinton — 13.

Those who voted in the negative are :

Messrs. Chase, Ellis, Parlin, Patten, Roberts, Rogers of Penobscot — 6.

So the order passed in concurrence.

\*428 \*The following are the accompanying rolls, viz :

\*429 \*PAY ROLL of the members and officers of the Senate of the Fifty-Eighth Legislature, at the session held at Augusta, commencing on the first day of January, and ending on the            day of            in the year of our Lord one thousand eight hundred and seventy-nine.

Districts.	Names.	Miles travel.	Am't for attendance.	Amount for travel and attendance.
First,	William F. Moody,	200 150		\$190 00
	John F. Furguson,	220 150		194 00
	James M. Andrews,	180 150		186 00
Second,	Warren H. Vinton,	180 150		186 00
	W. W. Thomas, Jr.,	130 150		176 00
	Same as President <i>pro tem</i> ,			4 00
	Andrew Hawes,	130 150		176 00
Third,	David Duran,	200 150		190 00
	William W. Wait,	260 150		202 00
Fourth,	Francis W. Redlon,	260 150		202 00
	J. L. H. Cobb,	140 150		178 00
Fifth,	Rufus Prince,	180 150		186 00
	James Morrison, Jr.,	240 150		198 00

## MEMBERS OF SENATE—CONCLUDED.

Districts.	Names.	Miles travel.	Am't for attendance.	Amount for travel and attendance.
Sixth,	William Rogers.	100	150	\$170 00
Seventh,	J. Manchester Haynes, <i>Pres</i>	20	300	304 00
	Moses S. Mayhew,	40	150	158 00
Eighth,	Archibald Linn,	100	150	170 00
	Amos F. Parlin,	80	150	166 00
Ninth,	Andrew J. Chase,	260	150	202 00
Tenth,	Levi B. Patten,	160	150	182 00
	John W. Atwell,	180	150	186 00
	John Rogers,	140	150	178 00
	Noah Barker,	200	150	190 00
Eleventh,	Andrew R. G. Smith,	40	150	158 00
Twelfth,	Nelson Thompson,	180	150	186 00
Thirteenth,	Randall W. Ellis,	140	150	178 00
	Cassius C. Roberts,	160	150	182 00
*430 *Fourteenth,	William Grindle,	240	150	198 00
	Hiram D. Coombs,	300	150	210 00
Fifteenth,	Austin Harris,	260	150	222 00
	Alden Bradford,	440	150	258 00
Sixteenth,	Edmund Madigan,	520	150	254 00
				6,020 00

## OFFICERS OF THE SENATE.

Office.	Names.	Miles travel.	Am't for attendance.	Amount for travel and attendance.
Secretary,	Samuel W. Lane, Same for making up Journal, For indexing, For filing and indexing Legislative papers,	20	300	304 00 300 00 125 00 75 00
Assistant Secretary,	Charles W. Tilden, Same as Secretary, <i>protem</i>	240	300	348 00 3 00
Messenger,	Charles H. Lovejoy, Same, extra services,	40	225	233 00 25 00
Messenger,	Benjamin F. Stevens,	160	33	65 00
Assistant Messenger,	A. B. T. Chadbourne,	160	225	257 00
Page,	Edwin C. Hendce,		150	150 00
Reporter,	Charles A. Sprague,	20	300	304 00
Reporter,	Manley H. Pike,	20	300	304 00
Chaplains.	Rev. C. F. Penney, " J. H. Ecob, " C. A. Curtis, " Mr. Sterling, " H. W. Tilden,			83 00 3 00 3 00 3 00 3 00
				8,608 00

\*433 \*PAY ROLL of the members and officers of the House of Representatives of the Fifty-Eighth Legislature, at the session held at Augusta, commencing on the first day of January, and ending on the                      day of                      in the year of our Lord one thousand eight hundred and seventy-nine.

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COUNTY OF ANDROSCOGGIN.

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Towns.	Names.	Miles travel.	Am't for attendance.	Amount for travel and attendance.
Auburn,	Charles E. Smith,	130	150	\$176 00
	Jeremiah Dingley, Jr.,	130	150	176 00
Leeds,	Charles H. Lane,	140	150	178 00
Lewiston,	Abial M. Jones,	130	150	176 00
	Joseph S. Garcelon,	130	150	176 00
	Liberty H. Hutchinson,	130	150	176 00
Lisbon,	Nathaniel J. Shaw,	120	150	174 00
Livermore,	James N. Atwood,	160	150	182 00
Poland,	Dimon B. Perry,	160	150	182 00
				1,596 00

COUNTY OF AROOSTOOK,

Fort Fairfield,	Robert H. Perkins,	650	150	280 00
Fort Kent,	William Dickey,	750	150	300 00
	Same as Speaker, <i>pro tem</i>			4 00
Hodgdon,	Benjamin J. Smith,	520	150	254 00
Houlton,	Eben Woodbury,	500	150	250 00
Mapleton plantation,	Stephen C. F. Smith,	690	150	288 00
Sherman,	Daniel Lewis,	440	150	238 00
Van Buren,	John B. Earrell,	710	150	292 00
				1,906 00

## COUNTY OF CUMBERLAND.

Towns.	Names.	Miles travel.		Amount for travel and attendance.
			Am't for attendance.	
Bridgton,	Rufus Gibbs,	250	150	200 00
Brunswick,	Stephen J. Young,	70	150	164 00
Cape Elizabeth,	Benjamin W. Pickett,	130	150	176 00
Casco,	George Murch,	180	150	186 00
Cumberland,	Samuel M. Brackett,	150	150	180 00
Dcering,	Nehemiah Smart,	120	150	174 00
Freeport,	Josiah P. Merrill,	100	150	170 00
Gorham,	William Guptil, 2d,	150	150	180 00
Gray,	Edward Cobb,	180	150	186 00
*435 *Portland,	Joseph A. Locke,	130	150	176 00
	Edmund Dana, Jr.,	130	150	176 00
	Melvin P. Frank, Speaker,	130	300	326 00
	Darius H. Ingraham,	130	150	176 00
	Frederick Fox,	130	150	176 00
Scarboro',	Augustus F. Moulton,	150	150	180 00
Sebago,	Edwin S. Poor,	240	150	198 00
Standish,	Tobias Lord, Jr.,	180	150	186 00
Westbrook,	Merrit W. Stiles,	150	150	180 00
Windham,	Andrew J. Morrill,	160	150	182 00
Yarmouth,	William W. Thomas,	120	150	174 00
				3,746 00

## COUNTY OF FRANKLIN.

Avon,	Wilson C. Beal,	240	150	198 00
Farmington,	Cyrus A. Thomas,	200	150	190 00
New Vineyard,	Leander B. Burbank,	220	150	194 00
Temple,	Edwin Sawyer,	210	150	192 00
Wilton,	John R. Eaton,	180	150	186 00
				960 00

## COUNTY OF HANCOCK.

Towns.	Names.	Miles travel.		Amount for travel and attendance.
			Am't for attendance.	
Bluehill,	Joseph T. Hinkley,	220	150	194 00
Bucksport,	Cleaveland C. Homer,	180	150	186 00
Castine,	Alfred E. Ives,	240	150	198 00
Deer Isle,	Charles A. Russ,	290	150	208 00
Ellsworth,	Henry L. Murch,	220	150	194 00
Gouldsboro',	Reuben Rand,	310	150	212 00
Lamoine,	David D. Hodgkins,	230	150	196 00
Mt. Desert,	William Fennelly,	250	150	200 00
Sedgwick,	Henry W. Sargent,	390	150	228 00
				1,816 00

## COUNTY OF KENNEBEC.

Augusta,	George E. Weeks,	10	150	152 00
	Peleg O. Vickery,	10	150	152 00
Chelsea,	William W. Hankerson,	10	150	152 00
China,	Francis Jones,	40	150	158 00
Clinton,	Alfred Weymouth,	60	150	162 00
Farmingdale,	David Wing,	10	150	152 00
Gardiner,	William F. Richards,	10	150	152 00
Monmouth,	Seth Martin,	30	150	156 00
*437 *Rome,	Thomas S. Golder,	30	150	156 00
Vassalboro',	Orrick Hawes,	30	150	156 00
Vienna,	Saunders Morrill,	50	150	160 00
West Waterville,	George W. Goulding,	50	150	160 00
Winthrop,	Elliot Wood,	20	150	154 00
				2,022 00

## COUNTY OF KNOX.

Towns.	Names.	Miles travel.	Am't for attendance.	Amount for travel and attendance.
Camden,	Wilder W. Perry,	200	150	190 00
Friendship,	Alexander Wincapaw,	170	150	184 00
North Haven,	Albert G. Beverage,	230	150	196 00
Rockland,	I. S. Willoughby,	190	150	188 00
	Albert S. Rice,	190	150	188 00
Thomaston,	Edmund Wilson,	180	150	186 00
Union,	Warren Hills,	180	150	186 00
Washington,	Miles D. Creamer,	60	150	162 00
				1,480 00

## COUNTY OF LINCOLN.

Boothbay,	William E. Reed,	140	150	178 00
Bristol,	A. Johnson Dodge,	140	150	178 00
Jefferson,	Alonzo D. Kennedy,	60	150	162 00
Newcastle,	Austin Hall,	120	150	174 00
Waldoboro',	Gorham H. Feyler,	160	150	182 00
Wiscasset,	William G. Cunningham,	110	150	172 00
				1,046 00

## COUNTY OF OXFORD.

Albany,	Jacob H. Lovejoy,	260	150	202 00
Buckfield,	Henry D. Irish,	190	150	188 00
Fryeburg,	Enoch C. Farrington,	240	150	198 00
	Same as Speaker <i>pro tem.</i>			4 00
Hanover,	Winfield S. Howe,	250	150	200 00
Hiram,	Llewellyn A. Wadsworth,	220	150	194 00
Paris,	David N. Trne,	180	150	186 00
Sumner,	Henry B. Hersey,	200	150	190 00
Upton,	Charles L. Douglass,	320	150	214 00
				1,576 00



## COUNTY OF PENOBSCOT.

Towns.	Names.	Miles travel.	Am't for attendance.	Amount for travel and attendance.
*439 *Alton,	Amasa Hatch, Jr.,	190	150	188 00
Bangor,	Charles P. Brown,	150	150	180 00
	Gorham L. Boynton,	150	150	180 00
	Amos Pickard,	150	150	180 00
Brewer,	William P. Burr,	160	150	182 00
Dexter,	Samuel Eldridge,	130	150	176 00
Garland,	Charles Seward,	150	150	180 00
Hampden,	Joseph W. Higgins,	170	150	184 00
Hermon,	Albert Hall,	150	150	180 00
Lagrange,	George W. Jones,	220	150	194 00
Lee,	Cyrus A. Hanson,	280	150	206 00
Lincoln,	Oliver H. Chesley,	250	150	200 00
Milford,	William A. Oakes,	190	150	188 00
Newburg,	Josiah P. Rigby,	150	150	180 00
Oldtown,	James M. Robinson,	180	150	186 00
Orono,	Horatio N. Trueworthy,	170	150	184 00
Passadumkeag,	William C. Hill,	280	150	196 00
Plymouth,	O. D. Chapman,	120	150	174 00
				2,338 00

## COUNTY OF PISCATAQUIS.

Foxcroft,	Benjamin F. Hammond,	260	150	202 00
Milo,	Isaac W. Hanscom,	230	150	196 00
Parkman,	Ireson Briggs,	280	150	206 00
				604 00

## COUNTY OF SAGadahoc.

Bath,	John H. Kimball,	100	150	170 00
Richmond,	Joseph W. Spaulding,	30	150	156 00
Topsham,	James Barron,	70	150	164 00
Woolwich,	John A. Stinson,	110	150	172 00
				662 00

## COUNTY OF SOMERSET.

Towns.	Names.	Miles travel.	Am't for attendance.	Amount for travel and attendance.
Canaan,	Albion R. Chase,	100	150	170 00
Fairfield,	Edward J. Lawrence,	60	150	162 00
Harmony,	Gilbert D. Laughton,	150	150	180 00
Moose River plan'n,	Israel P. Newton,	230	150	196 00
Norridgwock,	Samuel B. Cragin,	90	150	168 00
Ripley,	James B. Lewis,	150	150	180 00
Skowhegan,	Hiram S. Stewart,	80	150	166 00
Solon,	John L. Pierce,	110	150	172 00
				1,394 00

## COUNTY OF WALDO.

*441 *Belfast,	George E. Wallace,	130	150	176 00
Belmont,	Martin B. Hunt,	150	150	180 00
Freedom,	James D. Lamson,	100	150	170 00
Northport,	John R. Hurd,	150	150	180 00
Prospect,	Michael Haley,	170	150	184 00
Searsport,	Daniel S. Simpson,	150	150	180 00
Thorndike,	Albert S. Higgins,	110	150	172 00
Winterport,	Frederick W. Ritchie,	170	150	184 00
				1,426 00

## COUNTY OF WASHINGTON.

Addison,	Jones Wass,	360	150	222 00
Calais,	George A. Curran,	500	150	250 00
East Machias,	James R. Talbot,	350	150	220 00
Eastport,	George H. Robbins,	530	150	256 00
Machias,	J. Lowell Nash,	400	150	230 00
Machiasport,	Arthur Moore,	400	150	230 00
Meddybemps,	Caleb Gilman,	580	150	266 00
Milbridge,	Charles A. Wallace, 2d,	340	150	218 00
Princeton,	Aaron H. Woodcock,	540	150	258 00
Robbinston,	Franklin R. Leach,	570	150	264 00
				2,414 00

## COUNTY OF YORK.

Towns.	Names.	Miles travel.	Am't for attendance.	Amount for travel and attendance.
Alfred,	John T. Hall,	210	150	192 00
Berwick,	Charles H. Horne,	220	150	194 00
Biddeford,	Charles P. Emery,	170	150	184 00
	Harden Taylor,	170	150	184 00
Cornish,	Albert G. Andrews,	200	150	190 00
Dayton,	George H. Moore,	180	150	186 00
Eliot,	Howard Staples,	260	150	202 00
Hollis,	James Meserve,	180	150	186 00
Kittery,	Dennis M. Shapleigh,	260	150	202 00
Lyman,	Richard S. Stanley,	210	150	192 00
Newfield,	Charles E. Pinkham,	270	150	204 00
Saco,	George Parcher,	170	150	184 00
Sanford,	Jeremiah Moulton, 2d,	210	150	192 00
Waterboro,'	W. W. Libby,	190	150	188 00
York,	James A. Bragdon,	280	150	206 00
				2,886 00

## OFFICERS.

Office.	Names.	Miles travel.	Am't for attendance.	Amount for travel and attendance.
*443 *Clerk,	Oramandal Smith,	50	50	60 00
Ass't Clerk,	Edwin C. Burleigh,	150	50	80 00
Clerk,	B. L. Staples,	500	300	400 00
	Making up Journal,			300 00
	Indexing and filing papers,			125 00
Assistant Clerk,	Wingate E. Gibbs,	180	300	336 00
Messenger,	Asa Atwood,	190	285	323 00
Assistant Messenger,	J. H. Cook,	140	225	253 00
Folder,	W. J. Smith,	100	225	245 00
Page,	E. D. Sullivan,	10	150	152 00
Page,	Bert Andrews,	200	150	190 00
Chaplain,	John Allen,	200	150	190 00
Ass't Clerk, <i>pro tem</i> ,	Edwin C. Burleigh,			10 00
Acting Messenger,	J. R. Prescott,	50	8	18 00
1st Ass't Messenger,	Charles H. Getchell,	140	8	36 00
2d Ass't Messenger,	A. E. Haynes,	210	8	50 00
Folder,	Lyman S. Fogler,	200	8	48 00
Page,	Fred L. Furbush,	250	4	54 00
Page,	George S. Brooks,	20	4	8 00
Reporter,	W. E. Chase,			300 00
Reporter,	Frank A. Small,	10		300 00

## RECAPITULATION.

Androscoggin,	1,596 00	Sagadahoc,	662 00
Aroostook,	1,906 00	Somerset,	1,394 00
Cumberland,	3,746 00	Waldo,	1,426 00
Franklin,	960 00	Washington,	2,414 00
Hancock,	1,816 00	York,	2,886 00
Kennebec,	2,022 00		
Knox,	1,480 00		28,872 00
Lincoln,	1,046 00	Officers and chaplain,	3,478 00
Oxford,	1,576 00		
Penobscot,	3,338 00		32,350 00
Piscataquis,	604 00		

\*On motion by Mr. COBB,

\*445

*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 to receive any communication he may be pleased to make, and

Messrs. Cobb of Androscoggin, Madigan of Aroostook, and Smith of Lincoln, were appointed on the part of the Senate.

Sent down for concurrence.

Subsequently came back concurred, with

Messrs. Dickey of Fort Kent, Taylor of Bradford, Kimball of Bath, Goulding of West Waterville, Perry of Camden, Hurd of Northport, Cobb of Gray, joined on the part of the House.

Mr. COBB, from the foregoing Committee, subsequently reported that the Committee had been unable to obtain an audience with the Governor.

The report was accepted.

The following communication was received from the Governor by Hon. E. H. Gove, Secretary of State :

STATE OF MAINE, }  
EXECUTIVE DEPARTMENT, Augusta, March 5, 1879. }

*To J. M. Haynes, President of the Senate :*

I herewith return to your \*honorable body the "resolve on \*446 the pay-roll of the Senate," submitted to me for approval at a late hour last evening, but entirely too late to make a reply, a circumstance I exceedingly regret. My reasons for withholding my approval are substantially the same as those I appended to the resolve returned to your honorable body yesterday, but inasmuch as the resolve comes to me in another form, I submit the following considerations :

The construction of the law in relation to the question of mileage, in my judgment, is clear and explicit. The language of the Statute is, "each member of the Senate and House of Representatives shall be paid two dollars for every ten miles travel from his place of abode once in each session. He is entitled to mileage on the first day of the session." Nothing can be more explicit. The distance *from* his place of abode to the place

*where* the Legislature assembles is the measure of his claim, and for every ten miles of that distance he is entitled to receive the sum of two dollars, as a reasonable commutation for his travelling expenses in getting to and returning from the place *where* the Legislature convenes. If there be any doubt upon this subject after candid reflection upon the language of the statute, the history of the legislation of the State settles the question beyond all controversy.

The convention for forming a Constitution for the State of Maine, convened in the city of Portland on the 11th day of October, 1819, and after mature deliberation and discussion \*447 submitted \*to a vote of the people a document, which was adopted on the first Monday of the following December, as the Constitution of the State of Maine. The question of the travelling expenses of the members of the Senate and House of Representatives was one of the topics which elicited a long debate participated in by such men as Judge Dana, John Holmes, Judge Thatcher, Judge Ames, Judge Bridge, Judge Whitman, Mr. Herrick and men of that character, and section 7 article 4 of the Constitution as it now stands, was adopted almost unanimously, and which provides that "Senators and Representatives shall receive such compensation as shall be established by law, but no law increasing their compensation shall take effect during the existence of the Legislature, which enacted it. The expenses of the members of the House of Representatives in travelling to the Legislature and returning therefrom, once in each session, and no more, shall be paid by the State out of the public treasury to every member who shall seasonably attend, in the judgment of the House, and does not depart therefrom without leave."

The first session of the Legislature of the new State was holden in the city of Portland in the summer of 1820. At that session I find no detailed statement of the amount paid to each individual member, but at the 2d session holden in the winter of 1821, the pay-roll of the Senate and the House of Representatives was made up upon the same basis as is now the law, to wit: \*448 *two dollars* for every \*ten miles travel *from* the abode of the member to the place of holding the session.

The mode of computation, however, was different in the different branches. The Senate estimating the mileage to and from, charging ten cents per mile, and the House reckoning the mileage

only one way and charging twenty cents, the result being the same in either case.

An act fixing the compensation of the Council, Senate, and House of Representatives at "two dollars for each and every day he shall have attended, and two dollars for every ten miles travel from their respective places of abode," "and all pay-rolls hereafter made up shall be in conformity to the rates thereby established," was approved on the 23d of January, 1823, and has remained with only verbal alteration to the present day. The pay-roll of that session was made up upon the same basis, the Senate still adhering to the practice of placing its mileage to and from, but charging ten cents, while the House reckoned only single mileage but reckoned at twenty cents, the result being the same in both cases, and in strict compliance with the law it had just enacted.

In 1840, the first revision of the statutes was made and the same provisions as to compensation and travel was re-enacted. The pay-roll of that and all subsequent sessions was made up upon the same basis, and for thirty years thereafter no departure was ever attempted from the provisions of the law, save that in 1859 a salary of one hundred and fifty dollars was substituted for the per diem pay, and \*making the mileage payable on \*449 the first day of the session.

In 1871 the statutes were again revised and the same provision re-enacted.

The pay roll of that year was made upon the same basis as also of that of 1872, and from the organization of the State government to that date, a period of more than fifty years, no one had ever been bold enough to trample upon the Constitution or the law by proposing any new departure. On the 29th of February, 1872, the day upon which the Legislature of that year adjourned *sine die*, a resolve was introduced and passed after the pay-roll had been made up under the direction of the Committee on pay-roll. "That the State Treasurer be and hereby is directed to pay to each member and officer of *this* Legislature double the amount of *compensation* for travel allowed by the Committee on pay-roll and Secretary of the Senate, they having allowed compensation but one way."

The pay-roll of that year had been made up by the Committee on pay-roll, on the basis provided in the law. The law provided

that the compensation of the members should be one hundred and fifty dollars, and the Constitution declared that no law increasing their compensation should take effect during the existence of the Legislature which enacted it.

No attempt was made to change the law, and of the constitutionality of such a resolve I leave to a judicial tribunal to determine. From that year to the present the pay-rolls \*450 \*have been made up on the basis of single mileage in every instance, but in direct violation of that provision of the Statute which fixes the expenses of travel to and from the Legislature *as a reasonable and just commutation* at two dollars for every ten miles *from the abode* of the members to the place of the meeting of the Legislature.

The action of the body over which you have the honor to preside, sustaining the position I assumed upon the pay-roll submitted for my consideration yesterday, indicates the correctness of that position. I am not a little surprised therefore that a body, which, by a vote of nineteen to one, had endorsed the correctness of that position, should, by a mere technicality attempt to over-ride the law and evade one of the plainest provisions of the Constitution.

An examination of this pay-roll now submitted to me reveals the fact that some members who actually live within ten, twenty, or thirty miles of the State House, the place of the meeting of the Legislature, are credited with travel from forty to one hundred and forty miles, and the estimated amount, due them for travel is at the rate of twenty cents per mile upon those distances, being equivalent to four dollars for every ten miles from their place of abode to the place of meeting of the Legislature, instead of two dollars as provided by law.

There can be no excuse that it costs a member from Bangor thirty-two dollars, or a member from Bath twenty dollars, \*451 or a member \*from Lewiston twenty-eight dollars, as travelling expenses, to get to and from the Legislature, when it is a fact well understood by everybody that from four to six dollars will cover all expenses from either of those cities both ways.

Without entering farther into detail into the consideration of this subject, I am constrained to return the accompanying pay-roll,



unapproved, being contrary in my judgment both to the letter of the law and the spirit of the Constitution.

(Signed) ALONZO GARCELON, *Governor*.

The communication was read, and

On motion by Mr. VINTON,

That it lie on the table.

It was determined in the affirmative, yeas 14, nays 7.

On motion by Mr. ELLIS,

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

Those who voted in the affirmative are :

Messrs. Cobb, Duran, Furguson, Hawes, Madigan, Mayhew, Moody, Morrison, Prince, Redlon, Rogers of Sagadahoc, Smith, Thomas and Vinton—14.

Those who voted in the negative are :

Messrs. Barker, Chase, Ellis, Parlin, Patten, Roberts, Rogers of Penobscot—7.

So the motion was agreed to.

Mr. VINTON presented the following :

*Resolved*, That the thanks of the Senate be tendered to the Secretaries for the impartial \*manner in which they \*452 have performed their duties during the present session.

The resolution was unanimously adopted.

Mr. ROBERTS rose and said :

MR. PRESIDENT : It is not a pleasant thing to say good-bye. It is sad to do anything for the last time, and it is especially sad to sever the friendship and pleasant ties that have characterized the members of this body. I came here a new member, having had no previous legislative experience. My prejudices were established and my judgments were fixed, but although in a party with a minority of members, I have recognized scarcely any political differences in treatments from members of this board and from the rulings of the President. On many questions I have found myself voting with my political opponents. When I came

into this chamber I knew but few Senators, besides my colleague, Mr. Ellis, whom the Lewiston Journal calls the "watch-dog of the treasury;" but among them was the honorable Senator from Cumberland, Mr. Vinton, whom I had seen in my rambles about the town of Gray. I have often voted with him on questions and I have often differed from him in my views, but his action has been honest and for the benefit of the State. No one thing has happened here this winter which will cause any evil feelings in my mind. There is not one member of the board, but that when I meet him I can gladly extend him my hand with the warmest friendship. My associates here have been the kindest, \*453 and I go away from this Chamber with \*the best of feelings to every member, and to the President of the Senate, especially, I wish to testify that his rulings have been fair, impartial, honorable and not biased by political motives.

MR. SECRETARY: It is with pleasure that I present the following resolve, and desire that the vote thereon may be taken by rising:

*Resolved*, That the most cordial thanks of the Senate are due, and are hereby tendered to Hon. J. Manchester Haynes, 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 kind and gentlemanly bearing he has manifested in his intercourse with the members, both officially and socially.

MR. THOMAS said:

MR. SECRETARY: I most heartily concur in the sentiments of the resolutions just offered.

This session has been distinctively one of hard work, but our arduous labors have been lightened and facilitated by the uniform consideration and urbanity, which our President has exercised towards every Senator in this chamber.

For myself, the session has been a pleasant one. Here I find many with whom I have served in former years in the other branch of this Legislature, compatriots in many a well-fought field and well-won victory in the House of Representatives in days gone by. Here I find, in the Nestor of the Senate (Mr. Barker) an old tent-mate; one with whom I have camped in the great forest of Northern Maine. We have slept under the same

blanket, by the same camp-fire, while the sparks coursed upwards through the dark, tall pine-tops and were lost amid the stars of Heaven.

Here, too, at the beginning of the session, I found strangers, but you are strangers no longer, for as time wore on I have learned to appreciate and respect you, and now I feel I can call every Senator a friend. And after all, is not the formation and cementing of friendships, the chief and most lasting gain of this session, to each Senator?

In another hour the session of the 58th Legislature of Maine will have ended, this pleasant hall, which has echoed so long with our voices will know us "no more forever," the laws we have passed go forth for weal or woe, to stand or be repealed, this very Capitol of granite will at last crumble under the hand of time, but the friendships formed within these walls will outlast all bonds of time. They will endure forever.

Mr. PATTEN said:

MR. PRESIDENT AND HONORED SENATORS :—Our session being about to close, I will say that I have spent nine weeks with you very agreeably, and have tried to perform my duty faithfully as I understood it. I have been in my seat whenever a vote has been taken in this Senate. Permit me, on this occasion, of taking leave of each other, to say that as an inexperienced member of this honorable body, I have great reason to thank you, Mr. President, and each and every one of *you*, fellow Senators, for the assistance of your experience so cordially given in aiding me in the performance of my Legislative duties during the session. Permit me also to say that wherever I may go, in whatever situation I may be placed, I shall never cease to cherish with a fond remembrance, sentiments of esteem and respect for you all. When I think of the spirited debates that have taken place in this chamber without engendering, as I believe, a single feeling of disrespect for each other, but, on the contrary, a feeling of courtesy and kindness toward each that I hope may last when we have long separated, and when I consider, too, that whenever and wherever we may meet we shall meet as senatorial companions, I can but thank the Great Ruler who governs and directs. And, Senators, should we be permitted ever to assemble in this chamber again may we come as we this day part — friends!

The resolution was unanimously adopted, the vote being by rising.

Mr. HAYNES, President of the Senate, responded as follows :

SENATORS : I thank the Senator from Waldo, and the other Senators, who have spoken, and all the Senators who have voted for the resolution for the kind mention they have made of my part in the session. I fear the sadness of this hour has obliterated the memory of my short-comings. If, then, as some have said, I have met with success in the discharge of my official duties, it was on account of the consideration you have extended toward me during the session. It was in your power to have \*454 pressed many serious questions upon my attention, \*which might very seriously have embarrassed me, and from which I might not have had ability to extricate myself. But my duties have been light, because you have been willing to determine kindly among yourselves such questions as you might have referred to me. In the beginning I had no doubt that a further acquaintance with you all would ripen into esteem and constant friendships. I can now very truthfully say my anticipations have been realized. Although I have not been permitted to join in your debates, yet I have not been indifferent to your earnest endeavors and enthusiasm in your work. My mind has followed you in your debates, it has followed your emotions, and I can faithfully say that I have never seen a set of men that I believed had acted so candidly, so fairly, and with such an earnest desire to serve the State. A philosopher has said that the true contemplation of the law is the highest attainment of human reason. And there are some of you with your long experience, and some of us with our brief experience, who understand now, better than before, the force of such a remark. You have weighed causes and you have weighed effects, as you have measured the needs of the State which have been here before you. You understand now how trying, how difficult, are the obstacles to prevent measures being brought to satisfactory conclusions.

It is, I believe, the sentiment of an old song, that

“The good-by, in which the heart speaks  
and the lips move not.”

\*455 \*is the most expressive. And perhaps I could express my good-by in brief rather than copious language. When we

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come to that particular part which relates to the almost nameless feeling which we have when we look back over the past which is irrevocable, before going out into the future which is uncertain, it is always difficult to define the feelings.

I thank you again for the kindly reference you have made to me. And I now declare the Senate adjourned without day.

Adjourned.

SAMUEL W. LANE, *Secretary.*

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I certify that the foregoing is a true record of the proceedings of the Senate of the Fifty-Eighth Legislature.

ATTEST:

SAMUEL W. LANE, *Secretary.*



TITLES  
OF  
ACTS AND RESOLVES  
PASSED BY THE  
LEGISLATURE OF 1879.

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PUBLIC LAWS.

An act relating to Scire-facias.

An act to amend chapter one hundred and twenty-seven of the revised statutes relating to trespass.

An act to amend chapter fourteen of the public laws of eighteen hundred and seventy-two, in relation to service of precepts upon Deputy Sheriffs.

An act to repeal chapter one hundred and sixty-seven of the public laws of the year of our Lord, eighteen hundred and seventy-seven, relating to the employment of detectives by the State.

An act to amend chapter one hundred and ninety-six of the public laws of eighteen hundred and seventy-one, relating to river fisheries.

An act to amend section one of chapter one hundred and twenty-four of the revised statutes.

An act to amend chapter one hundred and thirty-nine, of the public laws of eighteen hundred and seventy-three.

An act to amend chapter sixty-three of the public laws of eighteen hundred and seventy-eight, relating to the Maine Industrial School for Girls.

An act to provide for the payment of the fees and expenses of referees.

An act to amend chapter ninety-one, section thirty-three of the revised statutes, relating to lien for land rent.

An act relating to Crimes formerly capital.

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An act to amend chapter sixty-seven of the public laws of eighteen hundred and seventy-eight.

An act relating to the testimony of persons accused of Crime.

An act to prevent the adulteration of Sugar and Molasses.

An act to facilitate and equalize the transportation of Freight and Passengers over all Railroads in the State.

An act to amend chapter twenty-two, section six of the revised statutes of eighteen hundred and seventy-one.

An act for the protection of Lobsters.

An act to amend section forty-one of chapter four of the revised statutes relating to voting places on the Islands in Portland.

An act relating to White Perch in Dobsis Stream.

An act to exempt Domestic Fowl from attachment and execution.

An act to amend chapter two hundred and seven of the public laws of the year one thousand eight hundred and seventy-seven, entitled, "An act to obtain uniform returns form Railroad Corporations."

An act to prevent disturbance in Public Assemblies.

An act to amend section one of chapter sixty-seven of revised statutes, relating to guardians of minors.

An act in relation to Liens on Vessels.

An act relating to Togue or Trout, in Great Tunk Pond in Hancock County.

An act to amend chapter eighteen of the revised statutes, relating to Ways.

An act limiting the allowance for Travel and Attendance to parties recovering costs in the Courts of this State.

An act to amend chapter eighteen of the revised statutes, relating to Ways in places not incorporated.

An act relating to the taking of Smelts in the Androscoggin river, above Merrymeeting Bay Brldge.

An act to amend "An act additional to chapter ninety-seven of the revised statutes relating to Bastard Children and the maintenance," approved February nineteen, one thousand eight hundred and seventy-eight.

An act concerning the Education of Deaf Mutes.



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An act additional to chapter thirty-one of the revised statutes as amended by chapter one hundred and twenty-four of the public laws of eighteen hundred and seventy-six, relating to Agents and Warehousemen.

An act to amend chapter sixty-six of the public laws of eighteen hundred and seventy-eight, relating to the Shore Fisheries.

An act additional to chapter thirty-four of the revised statutes, relating to "Auctions and Auctioneers."

An act to amend section four of chapter one hundred and thirty-two of the revised statutes, relating to the Jurisdiction of Magistrates.

An act giving County Commissioners Jurisdiction over the Repairs of Ways.

An act in relation to Hawkers and Pedlars.

An act additional to chapter six of the revised statutes relating to suits for Lands sold for non-payment of Taxes.

An act to amend "an act relating to Recording Devises of Real Estate in the Registry of Deeds.

An act relating to costs.

An act to amend chapter six of the revised statutes, concerning Taxes.

An act relating to proceedings in Court.

An act to extend the time for taking Smelts in the Penobscot River and Tributaries.

An act to amend chapter seventy-five of the public laws of eighteen hundred and seventy-eight, relating to the Protection of Fisheries and Propagation of Fish.

An act to amend chapter two hundred and nine of the public laws of the year one thousand eight hundred and seventy-seven, entitled, "an act to amend chapter six, section fifty-three of the revised statutes, relating to Repairs of Ways in unincorporated Townships."

An act fixing the salaries of certain Public Officers and Compensation of certain Members of the Government.

An act to amend chapter seventy-five of the public laws of eighteen hundred and seventy-eight, entitled, "an act to Regulate and Protect Fisheries and the Propagation of Fish.

An act to amend chapter fifty, section twelve of the public laws of eighteen hundred and seventy-eight, for the protection of game and birds.

An act regulating the duties of Clerks, Registers and Recording Officers of the several Courts in the State.

An act to amend section seventeen of chapter one hundred and sixteen of the revised statutes, in relation to "Fees of Registers of Deeds."

An act to amend section three of chapter one hundred and sixteen of the revised statutes of Maine, entitled, "The regulation of Fees and Costs."

An act to repeal chapters one hundred and fifteen and one hundred and twenty-four of the acts of eighteen hundred and seventy-three.

An act to amend section twelve, of chapter one hundred and thirty-five of the revised statutes, relating to placing convicts at labor.

An act to amend chapter forty-eight of the revised statutes relative to Corporations under the General Law.

An act to amend chapter fifty-one, section eighty of the revised statutes, relating to voting on the question of Loaning Money.

An act to amend chapter one hundred and thirty-three of the public laws of eighteen hundred and seventy-six, relating to Criminal Prosecutions.

An act relating to Lien Claims.

An act additional to chapter ninety-two of the revised statutes, concerning Mills and Mill Dams.

An act to provide process for the removal of unworthy Attorneys.

An act to amend section thirty-four of chapter six of the revised statutes, relating to Taxes.

An act to amend chapter sixty-nine of the public laws of eighteen hundred and seventy-eight, entitled, "An act to amend chapter two hundred and two of the public laws of eighteen hundred and seventy-seven, relating to Normal Schools."

An act to amend chapter two hundred and forty-one of the public laws of eighteen hundred and seventy-four, relating to Cemeteries.

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An act to amend section thirteen of chapter forty-one of the revised statutes, relating to the sale of Coal.

An act to amend chapter seventy-five of the public laws of eighteen hundred and seventy-eight, relating to fisheries and the Propagation of Fish.

An act to establish the salaries of certain public officers.

An act to amend section nineteen, chapter forty-nine of the revised statutes, relating to insurance.

An act in relation to Free High Schools.

An act to amend chapter fourteen of the revised statutes.

An act to further define the duties of the Clerks of Cities, Towns and Plantations.

An act to amend section twenty-one of chapter forty-six of the revised statutes, relating to returns of bank and corporation stockholders.

An act establishing the Salaries of certain State and County Officers, and fixing the number and regulating the pay and compensation of certain State Employees.

An act relating to Prosecutions for Embezzlement.

An act in relation to grantees defending in certain suits against the grantors.

An act relating to sale of Church Pews.

An act to amend chapter seventy-four of the public laws of one thousand eight hundred and seventy-eight, entitled, "An act in relation to the Insolvent Laws of Maine."

An act to regulate the taking and shooting of pigeons.

An act to modify and limit the liability of Towns and Cities, in actions for damages by reason of defects in Highways.

An act to amend chapter twenty-four of the revised statutes, relating to Paupers, their Settlement and support.

An act in relation to suit for Taxes.

An act to amend section seven of chapter one hundred and thirty-three of the public laws of eighteen hundred and seventy-three, being an act to improve the Jail System of the State.

An act to amend chapter one hundred thirty-seven of the revised statutes relating to the disposal of Insane Criminals.

An act in relation to the State Valuation.

An act additional to and amendatory of chapter twenty-four of the revised statutes in relation to the support of Paupers in unincorporated places.

An act to amend chapter twenty-seven, section twenty-six, of the public laws of eighteen hundred and seventy-eight, in relation to Lime Rock and Slate.

An act to amend chapter one hundred and eighty-five of the public laws of eighteen hundred and seventy-seven, relating to Life Insurance.

An act to amend chapter ten of the public laws of eighteen hundred and seventy-eight.

An act additional relating to appeals in criminal cases.

An act to prohibit the payment of any money from the Treasury of the State for Agricultural purposes.

#### PRIVATE AND SPECIAL LAWS.

An act additional to and amendatory of "An Act to supply the people of Portland with pure water."

An act to enable the Trustees of the Magdalene Cemetery Corporation to convey Real Estate.

An act additional to an act to incorporate the Rumford Falls and Buckfield Railroad Company.

An act to amend the Charter of the Auburn Aqueduct Company.

An act to change the name of Georgia A. Frye.

An act to amend section second of chapter three hundred and ninety-six of the private and special laws, approved March one, eighteen hundred and seventy, concerning the destruction of alewives in Dennys river.

An act to prevent taking of fish in Sibley's Pond, in Canaan and Pittsfield.

An act to prevent the taking of fish in Cambridge Pond, in the town of Cambridge.

An act to prevent fishing in the waters tributary to Great and Long ponds, in the towns of Belgrade and Rome.

An act to authorize the Cobb Lime Company to engage in the manufacture of cement.

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An act to authorize the Protestant Methodist Church of North Gorham to sell and convey all its Real Estate.

An act to incorporate the Maine Ice Company.

An act to change the name of Etta S. Fillmore to Etta S. Winslow.

An act to make valid the doings of the town of Northfield, in Washington County.

An act to legalize the proceedings by which Wade Plantation was organized.

An act to incorporate the Lewiston and Auburn Telegraph Company.

An act to incorporate the Circuit Court Law Library Association.

An act additional relative to the Boston and Maine Railroad.

An act for repeal of chapter two hundred and nine, of private and special laws of eighteen hundred and seventy-six.

An act to exempt the Lewiston and Auburn Railroad from taxation.

An act to authorize the erection of dams and booms in the Androscoggin river, at Canton.

An act to repeal an act concerning Pickerel fishing in certain ponds in Fryeburg.

An act to make valid the doings of the town of Milbridge, in relation to the building of a School House in Pearl District, in said town.

An act to prevent the destruction of smelts in the Medomak river and its tributaries.

An act to make valid the doings of Merrill Plantation, Aroostook county.

An act revoking the City Charter of Hallowell, and for other purposes.

An act in relation to School Funds in the town of Shapleigh in the county of York.

An act relating to the Union Water Power Company.

An act to incorporate the Elliot Bridge Company.

An act to make legal the doings of the Oquossoc Angling Association.

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An act authorizing W. R. Sawyer to complete and extend an Aqueduct in the town of Steuben.

An act relating to School Money in the city of Portland.

An act to authorize John Williams to remove remains from a burying ground.

An act to make legal and valid the doings of the inhabitants of Chapman Plantation in the county of Aroostook.

An act to authorize Rodney C. Barker to navigate Mattawamkeag lake and river by steam or horse power.

An act to incorporate the Androscoggin Telegraph Company.

An act concerning the taking of Trout in Gay Brook, in the town of Casco, Cumberland county.

An act authorizing the building a wharf at Emery's Point, town of Hampden.

An act authorizing Charles H. Donworth to extend his wharf into the waters of the Machias River.

An act to extend the time for locating and completing the Northern Aroostook Railroad.

An act to make valid the doings of the Portland Widows Wood Society.

An act to prevent the throwing of slabs and edgings into the Caribou stream, in the town of Caribou.

An act to authorize Horace Cole to navigate Pennessawassee Pond and Lake by steam.

An act to prevent the taking of fish from Allen Pond in the town of Greene in the County of Androscoggin.

An act to protect Trout in Branch river, in the town of Wells, York county.

An act to amend "An act to incorporate the Portland Widows Wood Society."

An act for the navigation of Madison Pond in the county of Somerset.

An act to prevent the taking of fish from the tributaries of Wilson Pond, in the city of Auburn, for the term of five years.

An act to authorize the county of Androscoggin to procure a Loan.

An act to legalize the doings of school district number seven, in the town of Dixfield.

An act for the protection of Smelts in Fore River in the county of Cumberland.

An act in relation to the Municipal Court for the city of Portland in the county of Cumberland.

An act to amend the charter of the Wassataquoik Dam Company.

An act to authorize Dams and Embankments in the town of Byron, in Oxford county, to prevent the water of Swift River from injuring the public highway.

An act relating to the Monmouth Mutual Fire Insurance Company.

An act to authorize the Association of the Alumni of Bowdoin College to convey Memorial Hall to the President and Trustees of Bowdoin College.

An act authorizing the Harpswell Gun Point Ice Company to build a dam across Mill Cove, in the town of Harpswell.

An act to enable the Woodbine Cemetery Association of Ellsworth to take lands for Cemetery purposes.

An act to amend the charter of the city of Calais.

An act to legalize the action of the town of Waterborough, providing for the funding of its debt.

An act to incorporate the Presque Isle and Maysville Railroad Company.

An act to incorporate the Pleasant River Dam and Improvement Company.

An act to change the names of Henry A. Allen of Deering and of Alice Gifford Tobey of Portland.

An act for better securing the Navigation of the St. Croix River.

An act to make valid the doings of the town of Canton in the county of Oxford.

An act to legalize the location of Public Lots in Township E, in Franklin county.

An act concerning the Portsmouth, Great Falls and Conway Railroad.

An act to repeal chapter two hundred and forty of the Private and Special Laws of eighteen hundred and seventy-six, relating to preservation of Fish in Little Sebago Lake.

An act to incorporate the Cathedral church of St. Luke, Portland.

An act additional to "An act to incorporate the Kennebec Agricultural Society."

An act to amend section one of chapter one hundred and fourteen of the Private Laws of eighteen hundred and seventy-two, entitled, "An act to amend the Charter of the city of Lewiston."

An act amendatory to "An amended act incorporating the Kennebec Log Driving Company," approved March five, eighteen hundred and sixty-nine.

An act to authorize the county of Penobscot to procure a temporary loan.

An act to amend section thirteen of chapter five hundred and thirty-two, Private and Special Laws of eighteen hundred and sixty-five, relating to the State College of Agriculture and the Mechanic Arts.

An act to authorize the inhabitants of School District Number Nine in the town of Kittery, to elect a District Treasurer.

An act relating to Wharves and Landings.

An act authorizing Albert M. Bradley to dredge and navigate China Pond.

An act to supply the people of Fryeburg Village with pure water.

An act to authorize certain cities and towns to pay the bonds issued in aid of the Knox and Lincoln Railroad Company, and to issue new bonds for that purpose.

An act incorporating the Moose River Log Driving Company.

An act to establish the Police Court of the City of Belfast, and to abolish the Belfast Municipal Court.

An act allowing Charles W. Stimpson, Jr., to extend a wharf into tide waters in the Georges River.

An act to authorize the inhabitants of Bowerbank to raise, assess and collect money to pay their outstanding liabilities when disorganized.

An act to incorporate the Farmers Bank.

An act to repeal an act entitled "An act to authorize the Protestant Methodist Church of North Gorham to sell and convey all its Real Estate."



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An act to provide in part for the Expenditures of Government.

An act to incorporate the Moosehead Lake Telegraph Company.

An act to authorize Roscoe K. Benner and others to build a wharf in the tide waters of Delano's Cove, in the town of Friendship.

An act additional to "An act to incorporate the Maine Universalist Convention."

An act relating to Bondholders of the Portland and Rochester Railroad Company.

An act to amend chapter eighty-five of the Special Laws of eighteen hundred and seventy-eight, entitled "An act to provide schools for the training of teachers in Madawaska territory."

An act to authorize Lewis Leadbetter, Jr., and Elisha C. Cooper to build a bridge over tide waters in the town of North Haven.

An act to amend chapter ninety-three of the Private and Special Laws of eighteen hundred and seventy-eight.

An act to provide in part for the expenditures of Government.

An act for the assessment of State tax, for the year one thousand eight hundred and seventy-nine, amounting to the sum of eight hundred ninety-nine thousand, six hundred ninety-five dollars and ninety cents.

An act to grant special powers to Sullivan School District, so called, in the town of Berwick.

An act to provide in part for the expenditures of government.

An act to incorporate the Maine Accident Insurance Company.

An act to incorporate the Crumple Club.

#### RESOLVES.

Resolve in favor of the committee to inform the Governor of his election.

Resolve for the support of State Paupers.

Resolve in favor of Charles B. Lovejoy of Perham Plantation.

Resolve in favor of Roxanna Brown of Merrill Plantation.

Resolve amendatory of chapter seventy-two of the Resolves of eighteen hundred and seventy-eight, entitled "Resolve granting

two lots of land to William Brown of Eagle Lake Plantation under certain conditions."

Resolve in favor of Samuel Stevens of Fort Kent.

Resolve in favor of Sabattus Dana.

Resolve in favor of Newall Joseph.

Resolve in favor of the town of Glenburn.

Resolve confirming the location of lots reserved for public uses in the town of Blaine.

Resolve providing for distribution of Stationery to members of the Legislature.

Resolve to facilitate the settlement of the Public Lands and closing the Land Office.

Resolve in favor of the town of Gouldsbrough.

Resolve in favor of James Moore and David Moore of number eleven, range one plantation.

Resolve in favor of the Passamaquoddy Indians.

Resolve in aid of town of Byron in Oxford county.

Resolve relating to lease of lots on Indian Township in Washington county.

Resolve fixing the time when the Penobscot Tribe of Indians shall hold their annual election.

Resolve in favor of James Cousins, Jr.

Resolve in favor of Alfred Veasie.

Resolve in favor of the Joint Standing Committee on Agriculture.

Resolve in favor of the Joint Standing Committee on State Prison.

Resolve in favor of the Joint Standing Committee on Military Affairs.

Resolve relating to the lands of the Passamaquoddy Indians.

Resolve in favor of the State Reform School.

Resolve making Appropriations for the Penobscot Tribe of Indians.

Resolve to facilitate the settlement of the Wild Lands of Maine.

Resolve in favor of the town of Milbridge in the county of Washington.

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Resolve for the improvement in the condition and punishment of female prisoners.

Resolve in favor of the Joint Standing Committee on Reform School.

Resolve in favor of Lavinia P. Rollins.

Resolve in favor of the abatement of the State Tax on Washington Plantation.

Resolve in aid of the Maine General Hospital.

Resolve in favor of the State Prison.

Resolve making appropriations for the support of the Military Asylum at Bath.

Resolve in favor of Baring and Houlton road across Indian Township and Grand Lake Stream road in Washington county.

Resolve in favor of the Insane Hospital.

Resolve to amend chapter one hundred and fifty-four of the resolves of eighteen hundred and seventy, entitled, "A Resolve in favor of Maine Central Institute."

Resolve to change the passage way in the Senate Chamber.

Resolve relating to the payment of the Superintendent of Reform School.

Resolve in favor of E. F. Pillsbury and Company.

Resolve in favor of Mrs. Ellebert Michaud.

Resolves authorizing a Temporary Loan.

Resolve in favor of Sprague, Owen and Nash.

Resolve in favor of the Maine Industrial School for Girls, at Hallowell.

Resolves relating to Settling Lands in Perham Plantation.

Resolve for the purchase of the Maine State Year Book and Legislative Manual.

Resolve in favor of the town of Kingsbury.

Resolve in favor of Edmund D. Wiggin.

Resolve for an Appropriation for the benefit of the State Library.

Resolve abating State Tax on Township Number Four, Range Five, north of Bingham's Kennebec Purchase, in Somerset county.

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Resolutions concerning an amendment of the Constitution of Maine.

Resolve to provide blanks for State Valuation.

Resolve laying a Tax on the Counties of the State.

Resolve in favor of the Secretary of the Senate.

Memorial to Congress.

Resolves for an investigation relating to the accounts and charges of Sprague, Owen and Nash for State Printing.

Joint resolutions relating to the termination of articles eighteen and twenty-one of the treaty of eighteen hundred and seventy-one with Great Britain.

## 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, 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.

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.

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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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- “ 19. Consideration of bills by paragraph on second reading.
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“ 32. Committees—how appointed.

“ 33. Standing committees of senate.

“ 34. Senators not to act as counsel.

“ 35. Messages and papers—how carried.

“ 36. Committee of the whole.

“ 37. Cushing's Manual, etc., to govern proceedings.

## RULES.

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1. The President shall take the chair at the time to which the senate stands adjourned ; but in case of his absence at such time, the secretary shall preside until a president *pro tempore* be chosen.

2. At the first session of each day, on the appearance of a quorum, the journal of the preceding day shall be read ; and the President shall ascertain whether a quorum is present before such reading.

3. When the President speaks he shall address the senate ; when a senator speaks he shall stand in his place and address the President.

4. The President, when he speaks to any member of the senate, and the members, when referring to each other in debate, shall use in their addresses the title of *senator*, and by way of distinction name the county in which he resides.

5. The President shall have the right to name a senator to perform the duties of the chair during his absence ; but the substitution shall not extend beyond an adjournment.

6. The President shall rise to put a question, and shall declare all votes, but if any senator doubt the vote, all those voting in the affirmative, when called upon by the President, shall rise and stand until they are counted, and also those in the negative, in like manner, to make the vote certain.

7. The President shall consider a motion to adjourn as always first in order, and it shall be decided without debate.

8. When a question is under debate, no motion shall be received but to adjourn, to reconsider, to lay on the table, to postpone to a day certain, to commit, to amend, or to postpone indefinitely ; which several motions shall have precedence in the order in which they stand arranged.



9. A motion shall be reduced to writing, if desired by the President or any senator, and shall then be deemed to be in possession of the senate, to be disposed of by the senate; but the mover may withdraw it at any time before a decision, or any amendment be made to it.

10. No senator shall address the senate until recognized by the President, nor more than once to the exclusion of any other senator, without leave of the senate, if objection is made, unless he be the mover of the matter under debate, and not then more than three times without leave.

11. No motion or proposition on a subject different from that under consideration, shall be admitted under color of amendment; nor shall an amendment proposing to ingraft a general provision of law upon a private bill, be in order; nor any amendment beyond the second degree.

12. An amendment proposed may be amended before it is adopted, but not afterwards, unless the vote adopting it be first reconsidered, and no senator shall be competent to move any reconsideration unless he voted with the majority and upon the same or a succeeding day; and a motion to reconsider any vote shall not be laid upon the table unless a time shall be specially assigned for its consideration.

13. A motion to reconsider shall take precedence of all other questions except a motion to adjourn; but if made while another question is pending, it shall not be put until the other question is disposed of, but simply entered.

14. Questions of order shall be decided by the President without debate; but if an appeal is taken, the same may be debated like other questions, and the decision thereon shall be entered upon the journal.

15. A question containing two or more propositions capable of division, shall be divided whenever desired by any member.

16. In filling up blanks, the largest sum and longest time shall be put first.

17. Every paper shall be once read at the table before any senator shall be obliged to vote on it, but when the reading of a paper is called for, that has been before read to the senate, if any senator object, the question shall be determined by the senate.

18. All bills and resolves in the second reading shall be committed to the committee on bills in the second reading, to be by them examined, corrected, and so reported to the senate.

19. Upon the second reading of a bill or resolve, after the same shall be read through, and before the question is put on its passage, it shall be read and considered by paragraphs, at the request of any member of the senate; and no bill or resolve shall have a second reading unless a time (not less than one hour after the first reading) be assigned therefor.

20. No bill or resolve shall pass to be engrossed without being twice read; and all bills and resolves, immediately after the same shall have been engrossed, shall be committed to the committee on engrossed bills, whose duty shall be to examine the same, and to see that the same have been truly engrossed; and before any bill shall pass to be enacted, or any resolve be finally passed, it shall be reported by the committee for the examination of engrossed bills to be truly and strictly engrossed, and the title thereof be read by the President.

21. No resolve of any kind, or order making any grant of money, lands, or other public property, shall be passed without being read on two several days; the time for the second reading shall be assigned by the senate.

22. After the reading of the journal, the following shall be the order of business:

1st, House papers not acted on; and if accompanied by a bill or resolve, the first reading of such bill or resolve.

2d, Messages and documents from the executive and heads of departments.

3d, The reception and reference of petitions and such other papers, except bills and resolves, as require action by a committee.

4th, Reports of committees, and if accompanied by a bill or resolve, the first reading of such bill or resolve. Bills, resolves, etc., offered by senators, and their reference or first reading.

5th, Bills and resolves reported by the committee on bills, in the second reading.

6th, Bills on their passage to be enacted, and resolves on their final passage.

It shall be the duty of the secretary to number bills and resolves in the order in which they shall be reported by said committee, and enter them upon the calendar in such order. They shall be taken up for their second reading and passage to be engrossed, or other disposition, in the order in which they stand upon the cal-

endar. 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 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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- “ 17. Not to vote where their private rights, distinct from their public interests, are concerned.

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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 indorsements 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 indorsed thus, “*Petition of town of—*,” [stating concisely the subject-matter thereof].

4. Petitions, memorials, and remonstrances from individuals, should be indorsed thus, “*Petition of—, and others of the town of—*,” [stating concisely the subject-matter thereof].

5. Petitions, memorials, and remonstrances from corporations, should be indorsed 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 indorsed 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*,——

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## RULES.

### DUTIES AND POWERS OF THE SPEAKER.

1. It shall be the duty of the speaker to take the chair at the hour to which the house shall have adjourned, call the members to order, and, after the appearance of a quorum, cause the journal of the preceding day to be read ;

To announce the business before the house in the order in which it is to be acted upon ;

To receive and submit to vote all motions and propositions regularly moved or that necessarily arise in the course of proceedings, and announce the result ;

To restrain the members, when engaged in debate, within the rules of order ; and to enforce, on all occasions, the observance of order and decorum among the members ;

To decide all questions of order, subject to an appeal to the house ;

To receive all messages and other communications and announce them to the house ;

To authenticate by his signature bills that have passed to be enacted, and resolves finally passed ;

To name the members who are to serve on committees, unless the house otherwise direct ;

To appoint the member who shall take the chair, when the house has determined to go into committee of the whole ;

And to name a member to perform his duties during his absence for a time not exceeding the remainder of the day.

2. The speaker may address the house on points of order, in preference to other members ; and may vote in all cases.

#### DUTIES OF THE CLERK.

3. The clerk shall keep a journal of what is done by the house ; read papers when required by the house or speaker ; call the roll alphabetically, and note the answers of members, when the house orders, or when a question is taken by yeas and nays ; notify committees of their appointment and of the business referred to them ; authenticate by his signature all the orders and proceedings of the house not authenticated by the speaker ; have charge of all the documents and papers of every kind confided to the care of the house ; bear all messages and transmit all papers from the house to the governor or to the Senate, unless the house shall otherwise order ; make up the pay-roll of the members ; and in the absence of the speaker at the hour for meeting, shall preside until a speaker *pro tem.* be chosen ; and at the close of the session shall file in an orderly manner all papers and documents in possession of the house, passed upon or received during the session ; and at the commencement of the next Legislature, shall preside until the election of speaker, and record the doings of the house until a new clerk shall be chosen and qualified ; and in the absence of the clerk, the assistant clerk shall be clerk *pro tem.* with power to appoint an assistant.

#### CHAPLAINS.

4. Every morning, the house, on assembling, shall join with the chaplain in religious service.

5. The chaplains may exchange duties with each other or with the chaplains of the Senate.

#### MONITORS.

6. One monitor shall be appointed by the speaker for each division of the house, whose duty shall be to see to the observ-

ance of the rules of the house, and on demand of the speaker to return the number of votes and members in his division.

7. If any member shall transgress any of the rules of the house, and persist therein, after being notified thereof by any monitor, it shall be the duty of such monitor to give information thereof to the house.

#### COMMITTEES.

The following standing committees shall be appointed at the commencement of the session, whose duty shall be to consider all subjects referred to them and report thereon :

On ways and means,  
On leave of absence,  
On change of names,  
On bills in the third reading,  
On engrossed bills,  
On elections,

To consist of seven members each.

On county estimates,

To consist of one member from each county.

On business of the House,

To consist of three members.

9. In all elections by ballot of committees of the house, the person having the highest number of votes shall act as chairman. In case two or more persons receive the same number of votes, the committee, by a majority of their number, shall elect a chairman.

#### RIGHTS AND DUTIES OF MEMBERS.

10. The seat which a member draws at the commencement of the session, shall be his during the session, unless he shall have leave of the speaker to change it.

11. No member shall sit at the desk of the speaker or clerk, except by the permission of the speaker.

12. When two or more members rise at the same time, the speaker shall name the person to speak ; but in all cases the member who shall rise first and address the chair, shall speak first.

13. No member shall interrupt another while speaking, except to call to order, or to correct a mistake.

14. No member shall speak more than twice to the same question, without first asking leave of the house.

15. No member shall speak out of his place without leave from the chair, nor without first rising and addressing the speaker; and he shall sit down as soon as he has done speaking.

16. No member shall act as counsel for any party, before a joint committee of the legislature, or a committee of this house.

17. No member shall be permitted to stand up to the interruption of another, while any member is speaking, or pass unnecessarily between the speaker of the house and the person speaking; or stand in an alley, or sit or stand covered, during the session of the house.

18. Every member shall make out and deliver to the clerk or to the committee on pay-roll, a statement of the number of miles usually travelled in going from his residence to the seat of government.

19. Every member who shall neglect to give his attendance in the house for more than six days after the session commences, shall, on making his appearance therein, be held to render the reason for such neglect; and in case the reason assigned shall be deemed by the house sufficient, such member shall be entitled to receive pay for his travel, and not otherwise; and no member shall be absent more than two days without leave of the house; and no member shall have such leave, unless it be reported by the committee on leave of absence; and no leave of absence shall avail any member who retains his seat more than five days from the time the same was obtained.

20. Any member having obtained leave of absence, and having in his possession any papers relating to the business before the house, shall leave the same to the clerk.

21. When any member shall be guilty of a breach of any of the rules and orders of the house, and the house has determined he has so transgressed, he shall not be allowed to vote, or speak, unless by way of excuse for the same, until he has made satisfaction.

22. Every member who shall be in the house when a question is put, where he is not excluded by interest, shall give his vote, unless the house, for special reason, shall excuse him, and when the yeas and nays are ordered, no member shall leave his seat until the vote is declared. In all elections by the house, or in joint ballot of the two houses, no member shall leave his seat, after voting, before a return of the house is had.



23. When the galleries shall be ordered to be cleared or shut, the matter which may occasion such order, shall be kept secret by each member, until the house shall order such injunction of secrecy to be taken off.

24. No person not a member or officer of the house, except members of the senate, its secretary and assistants, the governor and council, state treasurer, secretary of State, land-agent, adjutant-general, judges of the supreme judicial court, chaplains of the senate, and reporters of the proceedings and debates of the house shall be admitted within the representatives' hall unless invited by some member of the house.

PROCEEDINGS AND DEBATES.

25. After the reading of the journal, the following shall be the order of business :

1st, Senate papers, and first reading of accompanying bills and resolves ;

2d, Messages and documents from the executive and heads of departments ;

3d, Receptions of petitions, bills, and resolves, requiring reference to any committee ;

4th, Orders ;

5th, Reports of committees and first reading of bills or resolves ;

6th, Bills and resolves reported by committee on bills in the third reading, and on their passage to be engrossed ;

7th, Bills on their passage to be enacted ;

8th, Orders of the day.

The speaker shall announce each item of business in its turn, and no paper shall be taken up out of its regular order, except by the unanimous consent of the house. The orders of the day shall take precedence of all other business at the expiration of the morning hour.

26. It shall be the duty of the clerk to make up daily a calendar of bills, resolves, and other papers, assigned for that day's consideration, and also a calendar of bills and resolves which have had their first reading, and showing the disposition that has been made of each.

27. The unfinished business in which the house was engaged at the time of the last adjournment, shall have preference in the orders of the day, and shall continue to be among the orders of

the day for each succeeding day until disposed of, and no motion or other business shall be received, without special leave of the house until the former is disposed of.

28. When a question is under debate, no motion shall be received, but

- 1st. To adjourn ;
- 2d. To lay on the table ;
- 3d. For the previous question ;
- 4th. To commit ;
- 5th. To postpone to a day certain ;
- 6th. To amend ;
- 7th. To postpone indefinitely ;

Which several motions shall have precedence in the order in which they are arranged.

Questions of concurrence or otherwise with the senate shall have precedence of each other in the following order :

- 1st. To recede.
- 2d. To concur.
- 3d. To insist.
- 4th. To adhere.

29. A motion to adjourn shall always be first in order, and shall be decided without debate.

30. A vote to lay a proposition on the table shall not preclude the further consideration of it on the same day.

31. When motion for the previous question is made, the consent of one-third of the members present shall be necessary to authorize the speaker to entertain it. No debate shall be allowed until the matter of consent is determined. The previous question shall be submitted in the following words: *Shall the main question be put now?* No member shall speak more than five minutes on the motion for the previous question, and while that question is pending, a motion to lay on the table shall be decided without debate. A call for the yeas and nays, or for division of a question, shall be in order after the main question has been ordered to be put. After the adoption of the previous question, the vote shall be taken forthwith upon amendments, and then upon the main question.

32. Propositions to amend by striking out and inserting dates, numbers and sums, are not divisible ; but all propositions, otherwise divisible, shall be divided at the request of any ten members.

A motion to strike out being lost, shall neither preclude amendments, nor a motion to strike out and insert.

33. In filling blanks and in assigning times for the consideration of business, the largest sum and longest time shall be put first.

34. When a proposition consists of several paragraphs or sections, amendment of one of them shall not preclude amendment of a prior paragraph or section.

35. No motion or proposition on a subject different from that under consideration shall be admitted under color of amendment.

36. After a motion or order is stated or read by the speaker, and seconded, it shall be regarded as in the possession of the house, and shall be disposed of by vote of the house. But any motion or order may be withdrawn by the mover at any time before a decision or amendment, except a motion to reconsider, which shall not be withdrawn except by consent of the house.

37. Every motion shall be reduced to writing, if required by the speaker or by any member.

38. No member shall be permitted to lay a motion in writing on the table, until he shall have read the same in his place.

39. When a vote having been declared by the speaker, is doubted, the members for and against the question, when called on by the speaker, shall rise and stand till they are counted, and the vote made certain without further debate. But a call for the yeas and nays shall be in order at any time before such a vote is made certain and declared.

40. When a motion has been once made and carried in the affirmative, or negative, it shall not be in order for any member who voted in the minority, to move for a reconsideration thereof; but any member who voted with the majority, or in the negative on a tie vote, may move to reconsider on the same or succeeding day. A motion to reconsider shall not be postponed nor laid on the table without a time certain assigned for its further consideration. When a motion for reconsideration has been decided, the vote shall not be reconsidered. A motion to reconsider shall not be in order more than once on the same question.

41. When a member shall move, or give notice of his intention to move, a reconsideration of any vote, the papers to which the motion relates shall remain in possession of the clerk until the

question of reconsideration shall have been decided, or the right to move such a question is lost.

42. In all elections by ballot of the house a time shall be assigned for such election, at least one day previous thereto.

43. When a reading of a paper is called for, which has been before read to the house, and the same is objected to by any member, the question of reading shall be determined by a vote of the house.

44. Every question of order, which shall be decided on appeal, shall be entered on the journal of the house, with the decision thereon.

45. A proposition to require the opinion of the judges of the supreme court, as provided by the constitution, shall not be acted upon until the next day after such proposition is made.

46. All petitions, memorials, and other papers addressed to the house, shall be presented by the speaker, or by a member in his place, and shall be indorsed with the name of the person presenting it, and the subject-matter of the same. They shall be read by the speaker, clerk, or such other person as the speaker may request, and shall be taken up in the order they were first presented, unless the house shall otherwise direct.

47. All bills in their third reading, and resolves in their second reading, shall be committed to the standing committee on bills in the third reading, to be by them examined and corrected.

48. All resolves appropriating money or land shall have their second reading on Wednesday of the week following that of their first reading.

49. All engrossed bills and resolves shall be committed to the standing committee on engrossed bills, to be strictly examined; and if found by them to be truly and strictly engrossed, they shall so report to the house, and the question shall be taken without any further reading, unless on motion of any member, a majority of the house shall be in favor of reading the same as engrossed.

50. Every bill, or resolve, providing for the grant of money, land, or other public property, which may be laid on the table by leave, and any report of a committee upon any bill or resolve providing for such grant, shall be accompanied by a written statement of facts in each case; and no such bill or resolve shall be considered before such statement is made, or pass without being read on two several days.

51. No new bill or resolve of a public nature, shall be received, except it be reported by a committee, unless the house otherwise order; and all bills and resolves not reported by a committee, shall be laid upon the table for one day, before further action thereon.

52. No act or resolve shall be passed affecting the rights of individuals or corporations, without previous notice to such individuals or corporations.

53. No bill shall pass to be engrossed until it shall have had three several readings; the time for the second and third readings shall be assigned by the house; but if no objection is made, the second reading may be by the title, and at the time of the first. Every resolve which shall require the approval of the governor, shall have two several readings; the second reading shall be subject to the provisions of the third reading of bills.

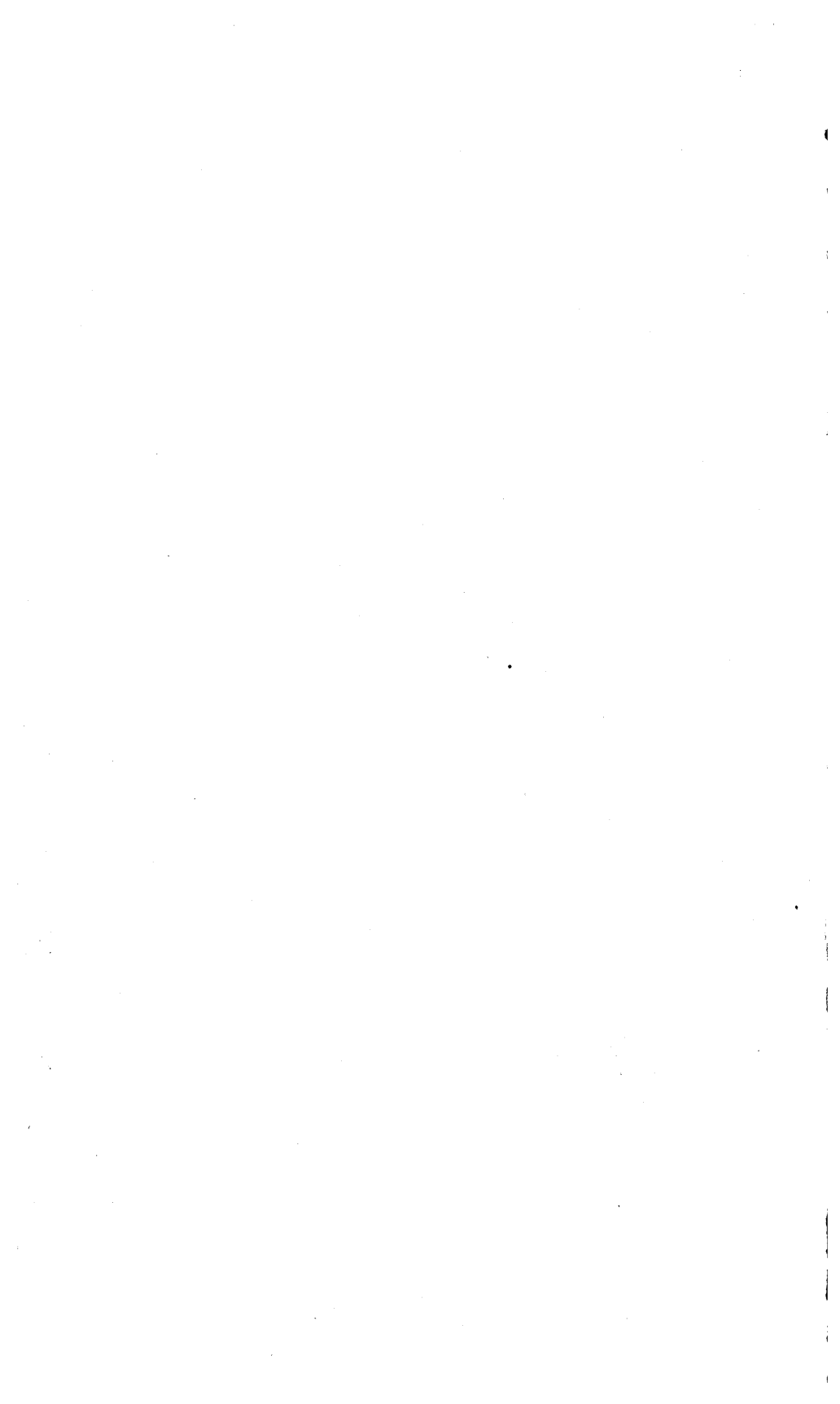
54. No engrossed bill or resolve shall be sent to the senate, without notice thereof being given to the house by the speaker.

55. When a bill or resolve shall be returned by the governor with his objections, the question shall be stated by the chair, *Shall this bill become a law notwithstanding the objections of the governor?* and the same in substance in case of a resolve; which question may be postponed to a day within the session, not exceeding one week, or may be committed. But no other question shall apply to bills and resolves originating in either branch.

56. The rules of parliamentary practice comprised in Cushing's Manuel, excepting section 51, relating to reception of petitions, shall govern the house in all cases to which they are applicable, and in which they are not inconsistent with the standing rules and orders of the house, and the joint rules of the senate and house of representatives.

57. No rule or order of the house shall be dispensed with, unless two-thirds of the members present shall consent thereto.

58. No rule or order of the house shall be altered or repealed, nor shall any new standing rule or order be adopted, unless one day's previous notice thereof be given in each case; and such notice shall be entered on the journal.



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