Vermont Watchman & State Journal.

BY J. POLAND. MONTPELIER, VT., WEDNESDAY, DECEMBER 15, 1880. VOL. 76.—3870. NO. 10.

New Advertisements.

ANNOUNCEMENT 1881 YOUTH'S COMPANION

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Watchman & Journal.

WEDNESDAY, DECEMBER 15, 1880.

Legislature of Vermont.

Tuesday, December 7,—Senate

Third readings.—H. 291, an act in relation to bonds to indemnify the state against certain expenses which may accrue for the deaf, dumb and blind; passed in concurrence.

H. 221, an act to amend an act to create the Bennington Battle monument fund; passed in concurrence.

H. 181, an act in relation to the printing of the journals of the general assembly; passed in concurrence.

S. 134, an act in addition to an act compelling persons found intoxicated to disclose; ordered to lie.

S. 126, an act in relation to the unexpended balances of appropriations; passed.

S. 102, an act in relation to the election of state officers; Senator Henry spoke in favor of the bill; passed.

From the table.—S. 181, above mentioned was taken up, and Senator Cook moved an amendment to the effect that a respondent fully disclosing shall be discharged without fine or costs; agreed to by a vote of 11 to 10. Upon the passage of the bill Senator Safford demanded the yeas and nays which were taken as follows; yeas—Senators Cook, Dana, Darling, Fuller, Gleedd, Judevine, King, Peck, Pember and Safford—16. Nays, Senators Blodgett, Bridgman, Dillingham, Dwinell, Field, Gleason, Henry, Lane, Scott, Paul, Robinson, Start, Sykes, Weed and Woodhouse—15, so passage of the bill was refused.

S. 165, an act providing for the printing of the catalogue of the principal officers connected with the political history of the state. Senator Fuller interrogated the committee as to the expense of such a catalogue, and was replied to by Senators Safford and Dana. The bill was opposed by Senators Bridgman, Peck and Fuller, and was further discussed by several senators; ordered to lie.

S. 175, an act providing for the safe keeping of prisoners charged with crime; passed.

S. 194, an act relating to the election of judges of the supreme court; passed.

House bills referred.—H. 307, an act to restrain fowls; to committee on agriculture.

H. 229, an act to amend sec. 30 of chap. 113 of g. s.; to committee on agriculture.

Reports.—From committee on railroads, in favor of S. 113, an act relating to railroad bridges, with proposals of amendment, which were agreed to; bill ordered to be read the third time to-morrow morning.

From same com., in favor of S. 91, an act regulating the movement of trains at the crossing of one railroad by another, with proposals of amendment, which were agreed to, and third reading ordered to-morrow morning.

From com. on elections, in favor of H. 216, an act relating to the election of trustees in the village of Winooski; passed in concurrence.

From com. on railroads, against S. 22, an act to abolish the office of railroad commissioner; indefinitely postponed, pending which, ordered to lie.

From same com., in favor of H. 232, an act in addition to an act to incorporate the Woodstock Gas Light Co.; passed in concurrence.

From com. on claims, in favor of H. 93, an act to pay Thomas Butler the sum therein named. Senator Field explained the nature of the claim. Read third time and passed to concurrence.

From com. on agriculture, upon S. 17, an act establishing the Vermont Board of Agriculture, with proposals of amendment. Senator Paul explained the purpose of the amendment.

From com. on grand list by substitute bill for S. 67, an act to equalize taxation. To lie over twenty-four hours under the rule. The bill provides that "All taxable property shall be set in the list at one per cent of its value in money" etc., that "the listers shall appraise each item of such property, as near as may, at its cash value, and shall make the assessment of a just debt due from a solvent debtor, having regard to the current value of such property in the place thereof other than auction sales in the locality where it is situated," * * * "No deduction shall be made in the list of any person, by reason of debts owing by him, but the sum such statement includes the name and place of residence of such person or firm to whom he is so indebted and the amount so owing by him to such person or firm." The taxpayer is to swear to his list and that he has set down only such debts as he is actually indebted for, and that he has not down only such debts as he is actually indebted for, and that he has not been had created no fictitious debt for the purpose of evading the provisions of the law. The listers also are compelled to swear that they have not wilfully omitted any taxable property. Pending the bill, under suspension of the rules, receive its third reading presently. Last and third reading ordered to morrow morning.

County expenses.—S. 110, an act to amend section one of act No. 77 of the laws of 1872, entitled an act to provide for the payment of ordinary county expenses, was taken from the table as a special order; pending the question on the passage of the bill. The bill provides for allowing the county judges in each county to raise a tax of three per cent on the dollar of the list of polls and taxable property in the county, in lead of only one per cent as now. Mr. Hendrick of Hydepark opposed the bill, and he was followed by Mr. Harding of Johnson and Mr. Colburn of Springfield. The house then refused to concur with the senate in the passage of the bill.

From com. on state prison, by printed report upon H. 271, an act to appropriate money for repairs and additions to the state prison. Senator Fuller explained the amendment, which was disagreed to, and bill ordered to be read the third time to-morrow morning.

From com. on final adjournment, upon H. 164, an act relating to state printing and stationery. The question pending was a motion to recede from the proposal of amendment, which was put and lost. A motion to insist was then carried, and a committee of conference called for.

From com. on claims, in favor of H. 298, an act to pay John Rivet the sum therein named; passed in concurrence.

Joint resolution.—By Senator DILLINGHAM, to pay Walter A. Weed, Jr., for services as messenger; adopted.

Adjourned.

House—Forenoon.

Mr. DARTT of Weathersfield, in the chair. Devotional exercises by the chaplain. The reading of yesterday's journal was dispensed with.

The nuisance bill.—S. 82, an act to abate and suppress nuisances, come up as unfinished business.

Mr. LEAVENS asked unanimous consent to withdraw his demand for the previous question. Mr. Harvey of Topsham objected. The question was then put, and the house refused to second the demand. Mr. Thompson then asked leave to withdraw his amendment, to which objection was made.

Mr. THOMPSON then offered a substitute for his amendment as follows: "and may recover of such tenant all damages arising from the termination of such tenancy in an action on the case;" which was agreed to.

The CHAIR then stated that the question was, "Shall the bill pass with proposals of amendment?" Mr. Merrill of Vernon spoke against the bill.

Mr. EDGERTON of Ely of Willingham moved to amend the eighth section by striking out the clause which makes the landlord liable to imprisonment in the house of correction; agreed to—yeas 89, nays 59.

Mr. THOMPSON then moved an amendment in the phraseology of sec. 1, which was agreed to. Mr. Blodgett of the passage, Mr. Smith of Rockingham demanded the yeas and nays, which were taken.

After the roll was called Mr. HAPGOOD of Peru asked that the rule requiring every member to vote be enforced. The roll of those who had not answered when their name was then called. The first member to answer was Mr. Hapgood. When Mr. Hinckley's name was called he made an explanation, and said that when the roll was called he had not made up his mind how he ought to vote, but as a friend of temperance he thought the law was too strict, and he hoped its very strictness would render it inoperative. He voted "no." Mr. Hunt of Worcester was excused from voting because he had been absent on account of sickness during the debate upon the bill. Mr. Moore of Shoreham was excused because he was not in his place so much of the time when the question was stated by the chair. Mr. Page of Rutland was not within the bar of the house when the question was stated, as he had not then returned and had thus the best liberty of the house for the unanimous consent of the house to vote. It was granted, and Mr. Page of Rutland said that he had more asked to be excused because he hated to vote "no," and did not want to vote "aye." Mr. Hooker of Brattleboro moved that the unanimous consent of the house be given him. Mr. Palmer of Waterbury invoked the charity of the house in Mr. Fletcher's favor. Ludicrous scenes followed. Mr. Thompson of Irasburgh asked if it was necessary to obtain the unanimous consent. The speaker ruled that it was. Mr. Fletcher of Grand Isle asked for leave in favor of allowing Mr. Preston to state his reasons for not voting to-day. Mr. Preston then proceeded to make an explanation. Mr. Page of Rutland interrupted him, and raised the point of order, that while every member had a right to state his reasons for voting, he was not entitled to the clerk to take his reasons down and enter them upon the record. The clerk looked blank at this. The speaker now ruled that a majority could excuse a member from voting. He put the question and a majority voted in favor of excusing. Mr. Searle of Hyde Park asked to be excused, because he was not within the bar when the speaker stated the question. Mr. Templeton of Glover asked the unanimous consent of the house to be excused, because he was not within the bar when the question was stated. It was granted and he voted "aye." Mr. Grout of South Burlington said that he knew much of the evils of intemperance, and hardly knew how to vote. He finally voted "no." Mr. Mitchell of Westfield asked unanimous consent, although he was outside of the bar when the question was stated. It was granted, and he voted "yea." This ended the supplementary roll-call of members absent and not voting. The speaker announced the result to be: Yeas—Ninety-nine; nays 56. So the bill was passed in concurrence, with proposals of amendment. The list of yeas and nays were as follows:

Yeas.—Messrs. Abbott of Bennington, Abbott of Landgrove, Abell, Adams of Brighton, Allen of Enosburgh, Allen of Fair Haven, Allen of Hartford, Allen of Hinesburgh, Barber, Barrett, Bates, Beaman, Bingham, Bisbee of Lyndon, Bingham Button, Booth of Ferrisburgh, Booth of Morristown, Bullard, Burnham, Burton, Carpenter, Chadwick, Butterfield, Button, Caswell, Chafey, Chamin, Chase of Jay, Chase of Somerset, Cilley, Clark of Williston, Clark of Worcester, Clark of Middlebury, Cobb of Strafford, Colburn, Currier, Curtis, Cushing, Damon, Daniels, Davis of Barnard, Davis, Denny, Dix, Dodge, Dond, Dunton, Edgerton, Dutton of Goshen, Ellis, Farnham, Ferguson, Fletcher, Foltz, Ford, Foster, Fowler, Goddings, Goodell, Goodwin of Sharon, Goodwin of Hartland, Gould, Grant, Grout of Windham, Griffin, Grout of Concord, Grout of Newport, Hapgood, Hazen, Hazard, Hard, Hendrick, Hendee, Holden, Hodges, Holmes, Hopkinson, Horton, Howe, Hubbard, Ingalls, James, Jones, Joslyn, Judevine, Kelley, Kidder, Lane, Leonard, Lewis, Lowrey, McKenzie, McLaughlin, Matthews, May, Mears, Merrifield, Merrill of Canaan, Nichols, Ober, O'Brian, O'Neill, Orcutt, Page, Palmer of Waterbury, Parker of Pownal, Perry, Pike, Powers, Preston, Priest of Barre, Priest of Mount Holly, Prindle, Ranney, Renfrew, Rhodes, Richmond, Ripley, Rogers, Ross, Russell of Sheburn, Spaulding, Spear, Spencer, Strong, Taylor of Washington, Thomas, Thompson, Tucker, Turner, Turner, Walker, Ware, West, Wheelock, Whitford, Whitney of Dorset, Whitney of Franklin, Wilcox of Morgan, Wilcox of Pawlet, Wilney, Wilsonell, Wright, Yates.

Nays.—Messrs. Arnold, Barney, Black, Bratton, Brown, Bryant, Cameron, Chamberlain, Colburn, Davis of Chester, Davis of Putney, Deming, Dexter, Dillon, Elo-Goddard, Farman, Gray, Harlour, Harvey, Hinckley, Hooker, Hurd, Kent, Leonard, Martland, McKnight, Merrill of Vernon, Mott, Pierce, Platt, Potter of Clarendon, Prouty, Rankin, Richardson, Simmons of Greensboro, Smith of Rockingham, Smith, St. John, Stone, Stevens, Swift, Taylor of Thetford, Templeton, Thayer, Webb, Whitney of Brookline, Wilson, Wood, Woodworth—56.

Passing notes.—S. 128, an act amending an act in amendment of chap. 86, g. s., was taken from the table by special assignment, the question being, Shall it be ordered to a third reading? This bill adds March meeting day and freeman's meeting day to the days now established by law to be treated as Sunday, so far as concerns the payment of notes, and notes falling due upon Thursday, shall be payable on the preceding day. Mr. Page of Rutland and Mr. Burlington moved to amend the bill so as to provide that the protesting, protesting and giving notice shall be done upon the following day. Mr. Page of Rutland said that he had an amendment to this amendment. It was agreed to and the third reading of the bill was ordered for Wednesday morning.

Liability of hotel keepers.—H. 247, an act for the protection of inn and hotel keepers, was taken from the table by a special assignment, the question being upon the adoption of the amendments proposed by Mr. Thompson of Irasburgh. These amendments were fully stated in yesterday's report. After some discussion, Mr. Thompson called for the yeas and nays, and they were taken with the following result—yeas 111, nays 65. Mr. Thompson then moved to strike out the words "for injury" wherever they occur in the bill. A little "sparring" then occurred between him and Mr. Grout of Newport. Mr. Thompson said he did it in behalf of the certain committee. Mr. Grout said as a member of that committee he never heard of the amendment before. Mr. Thompson explained that this amendment was handed to him by the clerk of the committee. The amendment, together with another, was th n adopted. The bill was then passed by Messrs. Chase of Middlebury, Palmer of Waterbury, Butterfield of Whitingham, Harvey of Topsham, and favored by Messrs. Booth of Morristown, Allen of Enosburgh, Hooker of Brattleboro, Mr. Hapgood of Peru moved to amend the bill by striking out of the amendment proposed by Mr. Thompson as adopted by the house the words, "or otherwise" after the words "by theft," and the words "or neglect" after the words "fire or flood." After some discussion, Mr. Grout rose to a point of order that Mr. Hapgood's amendment was not in order, and the chair so ruled. On motion of Mr. Cobb of Strafford, the bill was dismissed.

On motion of Mr. FARNHAM of West Fairlie, adjourned.

Senate—Afternoon.

Reports.—From com. on claims, in favor of H. 239, an act to pay James S. Peck the sum therein named ($67.50); passed in concurrence.

From com. on education, in favor of H. 197, an act relating to the compensation of superintendents of schools; third reading ordered to-morrow.

From committee on judiciary upon *joint resolution* in relation to the time of the election of certain state officers with proposal of amendment striking out the provision for the election of railroad commissioners and superseding of the issue. Senators Dunton, Bridgman and Safford favored the amendment. Senator Dana was in favor of postponing the election of all the officers named in the resolution if of any. There was further discussion by Senators Safford, Wood-worth, Dillingham and Dwinell. Amendments agreed to by a vote of 19 to 4. On motion of Senator Dana amendment adopted fixing the date of election at Tuesday next; resolution adopted with proposals of amendment.

Special order.—S. 109, an act to protect the owners of lands adjoining certain streams. Senator Start explained the purport of the bill. The bill was discussed by Senators Field, Bridgman, Peck, Dunton, Lane and Dwinell. Senator Dwinell moved to amend by striking out the word sawdust from the bill. Senator Fuller thought the bill was properly guarded as it was. Senator Start opposed the amendment. Amendment lost by a vote of 7 to 11. Senator Dunton moved to strike out the provision giving jurisdiction of the subject matter to justices of the peace; so ordered. Passage of the bill was then refused by a vote of 7 to 12.

From the table.—H. 136, an act relating to taxable fees of authorized persons. Upon the question, shall the bill pass, Senator Bridgman opposed it, especially the provisions limiting the fees of the authorized person to fifty cents in cases returnable before a justice, and to one dollar in cases returnable to the county court. Senator Safford offered an amendment striking out these provisions. Senator Dunton favored the amendment. There was further discussion by Senators Dana, Bridgman and Dunton. The amendment was agreed to by a vote of 12 to 5. Passed in concurrence with proposals of amendment.

S. 143, an act in relation to the militia. [The several companies of infantry of the militia of this state may be increased to not exceeding sixty-four officers and men.] Senators Dunton and Bridgman opposed the bill, and the passage of the bill was refused.

H. 119, an act compelling certain railroad companies to keep a flagman at Barber's crossing in Pownal; passed in concurrence.

H. 197, an act relating to the compensation of superintendent of schools. Senator Dana moved to strike out so much of the bill as provided for receipts by the state superintendent of statistical returns, in view of the possibility that the office of state superintendent may be abrogated by the legislature. Senator Pember interrogated the committee and was replied to by Senator King, who was opposed to the passage of the bill with or without amendment. Amendment agreed to. Senator Pember said that the bill would be likely to cripple the office of town superintendent, and so he should feel compelled to vote against it. Senator Robinson explained the views of the committee reporting the bill. The bill was further discussed by Senator Field; passed in concurrence with proposal of amendment.

H. 371, an act to appropriate money for repairs and additions to the state prison. Senator Dunton doubted if the appropriations contemplated by the bill were really necessary, and that the subject demanded further consideration. Senator Dwinell was of the same opinion. Senator Fuller moved to amend by adding "That no part of this appropriation be used without the unanimous consent of the trustees and the approval of the governor." On motion of Senator Dana, ordered to lie and be made the special order for Tuesday next at eleven A. M.

H. 226, an act compelling county treasurers to make and county judges to publish an annual statement of the county finances; ordered to lie for amendment, on motion of Senator Safford.

S. 117, an act establishing the Vermont board of agriculture; passed.

From the table.—S. 193, an act establishing the salaries of certain state officers, was called up by Senator Fuller. The question was upon a motion to reconsider the vote refusing to amend the bill so as to abolish the office of state superintendent of education. Senator Dunton moved that the bill be ordered to lie and be made the special order for to-morrow afternoon at half-past two o'clock. Senator Fuller thought the matter could be considered now unless there was some other measure under consideration for the abolition of the office. Senator Dillingham explained that Senator Cook had such a measure under advisement. Senator Dunton's motion was then put and carried.

House bills referred.—H. 299, relating to sureties on writs; to com. on judiciary.

H. 266, an act in further amendment of the several acts relating to the city of Burlington; to general committee.

Senator DILLINGHAM in the chair.

H. 443, an act ceding to the United States sites for lighthouses on Lake Memphremagog; to committee on fourth joint rule.

From the table.—H. 226, above reported, was taken up and Senator SAFFORD moved certain amendments, which were agreed to, and bill passed with proposals of amendment.

Reconsideration.—Senator WOODWORTH moved a reconsideration of the vote passing S. 117, an act establishing the Vermont Board of Agriculture. Senator Dunton said he was in favor of a board of agriculture, but was opposed to the special provisions of this bill which created the office of secretary and called for so large an expense. He proposed an amendment limiting the expense to $1500, and providing that the work of the secretary should be furnished gratuitously by the agricultural college. Senator Paul said there was no job concealed in the bill; and if the agricultural college should furnish men to lecture and attend to the duties of secretary without pay, it would be a change from the practice of the college when the former board was in existence. Senator Peck was opposed to the establishment of a board that was substantially the same as the one that was voted out of existence four years ago. He believed in the encouragement of agriculture, but thought better plans could be devised than the old one, and the one provided for by this bill. Senator Bridgman thought the senate should be wary in appropriating so much money as provided for in the bill, particularly as there was no call for it by the farmers. Senator Dwinell was opposed to a reconsideration. The taxes paid by farmers in the state were entitled to the appropriation of the $2,500 if they called for it. The present system was not satisfactory and the farmers asked for a change. If they were unwilling to pay for it they could so express themselves. Senator Pember said the meetings of the old board were well attended and interesting and he believed there could be found a board of agriculture that would be competent and honest. Senators Dana and Safford spoke in favor of the motion to reconsider. Farmers paid most of the taxes and were entitled to an appropriation in their interest. Senator Woodworth said there was only one farmer in his county that had shown any desire for the passage of this bill and illustrated the uselessness and incompetency of the old board. The principal function of a board of agriculture seemed to be to advertise commercial salts and fertilizers and to manage state politics. He agreed with the gentleman from Ludlow in favor of a system of competition for prizes by young men. Senator Paul further spoke in opposition to the motion. Senator Dwinell said that the bill had been held by the committee for some time to human consideration, and the committee had given the general subject and the committee had come to the conclusion that there were but two plans practicable, one, the present system and the other that provided for in the bill. The motion was further discussed by Senators Dunton, Field and Bridgman. Senator Cook said he should be willing to vote for any appropriation that the farmers were united in demanding. He thought, however, that the tendency of the board of agriculture was to impede the work of the county societies and should vote for the motion to reconsider.

On motion, the senate adjourned.

House—Forenoon.

Mr. DARTT of Weathersfield in the chair.

Devotional exercises by the chaplain.

On motion of Mr. DOUD of New Haven, the reading of the journal of yesterday was dispensed with.

Bills passed.—H. 304, an act to pay Solon Burroughs the sum therein named.

H. 387, an act empowering probate courts to authorize guardians of insane persons and spendthrifts to mortgage the real estate of their wards.

Payment of notes.—S. 128, an act amending an act in amendment of chapter 86 of the general statutes, was read the third time. Pending the passage, Mr. Harvey of Topsham moved to amend amendment omitting from the list of days to be treated as Sunday the first Tuesday of March annually, and biennially the first Tuesday of September, the day designated for the election of governor and other state officers, and the day for session. It would shorten sessions. Mr. Hooker's amendment was disagreed to by a vote of 81 to 121. Mr. Thompson of Irasburgh moved to amend the bill so as to provide that members should serve without pay. Mr. Elo-Goddard favored the amendment. Mr. Davis of Lyndon moved to amend Mr. Thompson's amendment by adding that members should wear a gown, too, in imitation of the judges of the supreme court. The amendment to the amendment was then lost. The question being, Shall the bill be passed? Mr. Grout of Newport said he thought that the members of the house were insane. He was sick of this discussion. He had said that the bill was discussed and the members proceed to the business of this house. Mr. Royce of Fayston said that he would second the motion and he hoped that the dismissal would take place at once. The bill was dismissed.

H. 281, an act to pay members of the general assembly which was introduced by Mr. Ely-Goddard of Ely, and provides for the payment of $6 a session to each member, was then taken up as a special order. Mr. Chafey of Albany moved that the bill be dismissed. Mr. Howe of Ludlow proposed the following as a substitute: "Pay members of the general assembly and of Henry Perley and one hundred and fifty dollars each, and mileage at the rate of 4 c. per mile for Senators and ninety-seven other property owners of Canaan."

Limiting debate.—Mr. HOWE of Ludlow offered the following: *Resolved*, that during the remainder of this session of the general assembly no member shall be allowed to speak more than five minutes at one time upon any question and that Rule 12, which provides that no member shall speak twice upon the same question without the permission from the house, nor a second time, if any other member desires to speak who has not spoken upon the subject, shall be in force; Pending an amendment to a rule, it was ordered to lie for twenty-four hours.

Sheep and dogs.—S. 23, an act to amend sections ten and twelve of the session laws of 1876, entitled an act concerning dogs, and for the protection of sheep and other domestic animals, was taken from the table. The bill provided that moneys received by the treasurer of a city or town for dog licenses, or as penalties for violations of the laws relating to the license of dogs which is not paid out for expenses of enforcing said law, or as compensation for damages done by dogs, must be paid by the treasurer of such city or town expenses after the first Wednesday of January in each year, that the treasurer of such city or town shall keep an account of the amount paid into the treasury each year under the provisions of this act, which shall consist of a dog tax and of the fees received from the same in payment of a just debt due from a solvent debtor, having regard to the current value of such property in the place thereof other than auction sales in the locality where it is situated," * * * "So deduction shall be made in the list of any person, by reason of debts owing by him, but the sum such statement includes the name and place of residence of such person or firm to whom he is so indebted and the amount so owing by him to such person or firm." The taxpayer is to swear to his list and that he has set down only such debts as he is actually indebted for, and that he has not down only such debts as he is actually indebted for, and that he has not been had created no fictitious debt for the purpose of evading the provisions of the law. The listers also are compelled to swear that they have not wilfully omitted any taxable property. Pending the bill under suspension of the rules, receive its third reading presently. Last and third reading ordered to morrow morning.

County expenses.—S. 110, an act to amend section one of act No. 77 of the laws of 1872, entitled an act to provide for the payment of ordinary county expenses, was taken from the table as a special order; pending the question on the passage of the bill. The bill provides for allowing the county judges in each county to raise a tax of three per cent on the dollar of the list of polls and taxable property in the county, in lead of only one per cent as now. Mr. Hendrick of Hydepark opposed the bill, and he was followed by Mr. Harding of Johnson and Mr. Colburn of Springfield. The house then refused to concur with the senate in the passage of the bill.

From com. on state prison, by printed report upon H. 271, an act to appropriate money for repairs and additions to the state prison. Senator Fuller explained the amendment, which was disagreed to, and bill ordered to be read the third time to-morrow morning.

From com. on final adjournment, upon H. 164, an act relating to state printing and stationery. The question pending was a motion to recede from the proposal of amendment, which was put and lost. A motion to insist was then carried, and a committee of conference called for.

From com. on claims, in favor of H. 298, an act to pay John Rivet the sum therein named; passed in concurrence.

Joint resolution.—By Senator DILLINGHAM, to pay Walter A. Weed, Jr., for services as messenger; adopted.

Adjourned.

House—Forenoon.

Mr. DARTT of Weathersfield, in the chair. Devotional exercises by the chaplain. The reading of yesterday's journal was dispensed with.

The nuisance bill.—S. 82, an act to abate and suppress nuisances, come up as unfinished business.

Mr. LEAVENS asked unanimous consent to withdraw his demand for the previous question. Mr. Harvey of Topsham objected. The question was then put, and the house refused to second the demand. Mr. Thompson then asked leave to withdraw his amendment, to which objection was made.

Mr. THOMPSON then offered a substitute for his amendment as follows: "and may recover of such tenant all damages arising from the termination of such tenancy in an action on the case;" which was agreed to.

The CHAIR then stated that the question was, "Shall the bill pass with proposals of amendment?" Mr. Merrill of Vernon spoke against the bill.

Mr. EDGERTON of Ely of Willingham moved to amend the eighth section by striking out the clause which makes the landlord liable to imprisonment in the house of correction; agreed to—yeas 89, nays 59.

Mr. THOMPSON then moved an amendment in the phraseology of sec. 1, which was agreed to. Mr. Blodgett of the passage, Mr. Smith of Rockingham demanded the yeas and nays, which were taken.

After the roll was called Mr. HAPGOOD of Peru asked that the rule requiring every member to vote be enforced. The roll of those who had not answered when their name was then called. The first member to answer was Mr. Hapgood. When Mr. Hinckley's name was called he made an explanation, and said that when the roll was called he had not made up his mind how he ought to vote, but as a friend of temperance he thought the law was too strict, and he hoped its very strictness would render it inoperative. He voted "no." Mr. Hunt of Worcester was excused from voting because he had been absent on account of sickness during the debate upon the bill. Mr. Moore of Shoreham was excused because he was not in his place so much of the time when the question was stated by the chair. Mr. Page of Rutland was not within the bar of the house when the question was stated, as he had not then returned and that thus the best liberty of the house for the unanimous consent of the house to vote. It was granted, and Mr. Page of Rutland said that he had more asked to be excused because he hated to vote "no," and did not want to vote "aye." Mr. Hooker of Brattleboro moved that the unanimous consent of the house be given him. Mr. Palmer of Waterbury invoked the charity of the house in Mr. Fletcher's favor. Ludicrous scenes followed. Mr. Thompson of Irasburgh asked if it was necessary to obtain the unanimous consent. The speaker ruled that it was. Mr. Preston of Grand Isle asked for leave in favor of allowing Mr. Preston to state his reasons for not voting to-day. Mr. Preston then proceeded to make an explanation. Mr. Page of Rutland interrupted him, and raised the point of order, that while every member had a right to state his reasons for voting, he was not entitled to the clerk to take his reasons down and enter them upon the record. The clerk looked blank at this. The speaker now ruled that a majority could excuse a member from voting. He put the question and a majority voted in favor of excusing. Mr. Searle of Hyde Park asked to be excused, because he was not within the bar when the speaker stated the question. Mr. Templeton of Glover asked the unanimous consent of the house to be excused, because he was not within the bar when the question was stated. It was granted and he voted "aye." Mr. Grout of South Burlington said that he knew much of the evils of intemperance, and hardly knew how to vote. He finally voted "no." Mr. Mitchell of Westfield asked unanimous consent, although he was outside of the bar when the question was stated. It was granted, and he voted "yea." This ended the supplementary roll-call of members absent and not voting. The speaker announced the result to be: Yeas—Ninety-nine; nays 56. So the bill was passed in concurrence, with proposals of amendment. The list of yeas and nays were as foll