

# MAINE STATE LEGISLATURE

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# RESOLVES

OF THE

THIRD LEGISLATURE

OF THE

# STATE OF MAINE,

PASSED AT THE SESSION,

WHICH COMMENCED ON THE FIRST DAY OF JANUARY, AND ENDED  
ON THE ELEVENTH DAY OF FEBRUARY, ONE THOUSAND EIGHT  
HUNDRED AND TWENTY THREE.

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PUBLISHED AGREEABLY TO THE RESOLVE OF JUNE 23, 1820.

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PORTLAND:

PRINTED BY TODD AND SMITH, PRINTERS TO THE STATE.  
1823.

## MESSAGE OF THE GOVERNOR.

*To the Senate and House of Representatives,*

I lay before you a copy of the report of the Commissioners of Massachusetts and this State, showing their progress in dividing the public lands, together with copies of the documents and plan therein referred to.

As a portion of these lands are now held in severalty by this State, the Legislature will perhaps deem it advisable to adopt some plan for their management and sale, as well as for the better preservation of the timber. Many of the reserved lots, which have fallen to the share of this State, being in towns already settled with an enterprising population, may probably be sold to actual settlers, at an advantageous rate. Indeed it is desirable that all our public lands should be disposed of, to those who will settle on and improve them, rather than to the speculator.

There are no documents in the possession of this State, by which the value and situation of these reserved lots can be ascertained, or by which it can be determined whether, as is required by the several grants, they bear an equal proportion in quality to the residue of the tract granted.

There have likewise been assigned to this State sundry agreements for the sale of lands, and the monies now due, or which may hereafter become due thereon. Whenever the several payments thereby secured shall have been completed, the purchasers will be entitled to deeds, according to the terms of their respective contracts. It will therefore be necessary to make the requisite provision for the execution of such deeds, so far as it is to be done on the part of this State.

The Commissioners have also set off so much of the land falling to the share of the Commonwealth of Massachusetts, upon the division of the public lands already made, as in their estimation is of the value of thirty thousand dollars, to the end that the said Commonwealth may be enabled to assign the same to this State, or in lieu thereof, pay the said sum at its election, as an indemnification to Maine, for having assumed to perform all the duties and obligations of the Commonwealth towards the Indians. I also lay before you a copy of this act of the Commissioners, from which you will perceive the rate at which the estimate was made. As the Commonwealth has the right to make the election at any time within one year, there is probably no reason to expect any further information upon this subject, during the present session.

It is understood that the Commissioners do not contemplate making any very considerable surveys or division of the public lands, the ensuing season, and it is presumed, therefore, that the necessary expenses in this business the present, will be much less than the last year. Until the north-eastern boundary of this State shall be settled, there can be no final division of these lands, and until then, it is believed, there will be no urgent necessity for any considerable expenditures, under this commission.

Although no progress has been made in the adjustment of that boundary the past year, there is reason to believe, that every thing within the power of our government, has been and will be done, to bring the subject to a speedy and an equitable settlement. The Commissioners having suggested the expediency of selling the public land and buildings in the town of Portland, upon such terms, and in such manner, as will best secure the value thereof to the two States, the attention of the Legislature is called to that part of their communication, which relates to this subject. The buildings are in a decaying situation, and unless sold will require immediate repairs.

ALBION K. PARRIS.

*Council Chamber, January 13, 1823.*

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## CHAPTER XXXVIII.

Resolve authorizing the sale of State Lands, and for other purposes.

*Resolved,* That the Governor, with the advice of Council, be, and he hereby is authorized and empowered to appoint such Agent or Agents as to him may seem expedient, from time to time, for the preservation, and to prevent the destruction of timber and grass standing or growing on the Public Lands; and such Agent or Agents shall give bond to the Treasurer of the State, to the satisfaction of the Governor and Council, for the faithful discharge of their duty; and shall annually exhibit to the Legislature a statement of their proceedings, and a fair account of receipts and expenditures.

*Be it further Resolved,* That the lands and tenements owned by this State in common with Massachusetts, situated in the town of Portland, shall and may be sold, under the direction of the Governor, or such Agent as he may appoint, as soon as may be,

either in conjunction with the State of Massachusetts, or such Agent as may be appointed by that State for the like purpose ; or in such other manner as to the Governor may seem most for the interest of this State.

*Be it further Resolved*, That the lands set off by the Commissioners under the Act of Separation, to be held by this State in severalty, shall and may be sold in lots, not exceeding five hundred acres each, and to actual settlers only ; in such manner and under such restrictions, as the Governor may from time to time direct. And the Governor is hereby authorized and empowered to make and execute good and sufficient deeds to purchasers, in either of the above cases, whenever such purchasers shall have complied with the conditions of sale : And the Resolve passed February the sixth, in the year of our Lord one thousand eight hundred and twenty-two, be and the same is hereby repealed, and no former Resolve shall be deemed revived by this repeal.

[*This Resolve passed February 8, 1823.*]

## CHAPTER XXXIX.

Resolve in favor of the Passamaquoddy Indians.

*Resolved*, That the Governor be, and he is hereby authorized to cause to be expended such sum of money, as he may think proper, not exceeding fifty dollars annually, for the relief of the sick and indigent of the Passamaquoddy tribe of Indians, for the term of three years : And also such further sum, as he may think proper, not exceeding one hundred and fifty dollars, for the improvement and instruction of said Indians in the English language, and for their encouragement and assistance in Agriculture : And the Governor, with the advice of Council, is hereby authorized to draw his warrant on the Treasurer for said sums, or such parts thereof, as he may from time to time think proper.

[*This Resolve passed February 8, 1823.*]

## CHAPTER XL.

Resolve authorizing the sale of a Gun House belonging to the State.

*Resolved*, That the Governor be, and he hereby is authorized to sell, or cause to be sold, a Gun House belonging to the State,