

# 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:

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1823.

## APPENDIX.

### AGREEMENT

*Of the Commissioners of Massachusetts and Maine,  
adjusting the personal concerns between the two States.*

WE, the undersigned, Levi Lincoln, James Bridge, George Bliss, Benjamin J. Porter, Lothrop Lewis and Silas Holman, appointed Commissioners under and by virtue of the law of the Commonwealth of Massachusetts, entitled "An Act relating to the separation of the District of Maine from Massachusetts proper, and forming the same into a separate and independent State;" having endeavored faithfully and assiduously at different times, from the first meeting of said Commissioners, on the thirtieth day of October, in the year of our Lord one thousand eight hundred and twenty, unto the sixth day of March last, to agree upon the description and amount of all such debts, annuities, indian subsidies or claims which remain due or unsatisfied, and upon the description, amount and assignment of a just portion of the productive property held by said Commonwealth as an equivalent and indemnification therefor: And having made a division of the Military Stores and Ordnance belonging to said Commonwealth on the fifth day of March last: Being unable to agree upon and complete an assignment and division of the residue of said personal property, we adjourned on said sixth day of March last, to meet at Portland on the sixteenth day of May instant, at which time and place we resumed the subject and made further examinations, and in the spirit and with a view to compromise mutually made further concessions. Notwithstanding the difficulty of ascertaining the value and amount of said personal property and the extent of the liabilities of said Commonwealth, we have unanimously agreed upon a settlement, assignment, and division thereof, and have assigned the sum of thirty-seven thousand, four hundred and seventy-one dollars and three cents, estimated by us as a just portion of the productive property to be held by the said Commonwealth, as an equivalent

and indemnification to said Commonwealth for all debts, annuities, and indian subsidies or claims due from said Commonwealth, which now remain due, or unsatisfied; except the subsidy or annuity which may be due to the Penobscot tribe of Indians after this present year. All the surplus of the said property, so holden as aforesaid, amounting to the sum of seventy-one thousand nine hundred and ninety-seven dollars and sixteen and an a half cents, exclusive of the avails of the Province house, and of the ordnance, arms and military stores, we have divided, and do hereby divide, between the said Commonwealth and the said State, in the proportion of two thirds to the said Commonwealth, and one third to the said State in manner following, to wit; to the State of Maine the sum of Fifteen thousand eight hundred eighty-eight dollars and fifty cents to be paid in cash out of the Treasury of said Commonwealth, and also the one third part in value of all notes, bonds, and securities contained in certain schedules, marked B and C, from the Treasurer of said Commonwealth, made on the sixteenth day of March, 1820, the same to be taken as they stood on the thirteenth day of May instant, and also the one third part in value of all notes, bonds, contracts and securities remaining in the land office of said Commonwealth, as they existed on the same day, to be divided by us, as soon as may be; and also we have divided and assigned to the said State of Maine, all sums of money, dues, claims, and demands belonging to said Commonwealth from the Treasurers of the several Counties, now within the State of Maine, Justices of the Peace, Clerks of the several Courts and County Attornies for the several Counties now in said State, and also from any person or persons who have holden said offices—and also all monies, dues and demands from any person or persons now or heretofore Sheriffs or Gaolers of any County of said State, for fines, forfeitures, and bills of costs in criminal prosecutions; together with the ordnance, arms and military stores which we have assigned and set out to said State, according to a schedule signed by Benjamin J. Porter and Silas Holman, bearing date the seventeenth day of May instant, and ratified by us the same day, which accompanies this agreement; all which, with the sum of Fifteen thousand seven hundred and forty-two dollars and twelve cents, advanced to said State, by said Commonwealth, and that portion of the tax due from the several Banks in said State on the first day of April, in the year of our Lord one thousand eight hundred and twenty, which accrued before the sixteenth day of March, in said last mentioned year, heretofore paid into the Treasury of said State, is the full third part and share, as well of the personal property men-

tioned in said fourth article of said section, as also the avails of the Province house of said Commonwealth, and in full satisfaction of all claims and demands on account of the personal property of said Commonwealth, mentioned in said fourth article of said section; and also of the moiety of seven hundred and nine dollars and seventy-four cents, paid by said State in and about the public lands within said State. And the whole of the residue of said personal property of said Commonwealth, mentioned in said fourth article of said section, of every description and nature whatever, we have divided and do hereby divide to the said Commonwealth, as the just and full two third parts of said property. And it is hereby agreed that the said notes and securities, so divided, and the said monies, dues, claims and demands, so assigned as aforesaid, are to be taken as they are, at the sole risk of the party who shall receive them, without claim or challenge on the other party. And it is further agreed that the said State of Maine, and its officers, shall and may have and use the name and authority of the said Commonwealth and the proper officers thereof, in prosecuting and collecting any of said notes and securities, contracts, debts, dues, claims or demands so divided or assigned to said State, but at the sole and proper risk and charge of said State.

This agreement and division is to be a full and final settlement and adjustment of all personal property, to a portion of which the said State, under said fourth article is or might be entitled; and also of all liabilities and claims for indemnification for which it was thereby made chargeable. *Provided however*, and it is expressly agreed, that any subsidy or annuity which, after the present year, shall by virtue of the Treaty heretofore made by the said Commonwealth with the Penobscot tribe of Indians, become due and payable, is not hereby adjusted or settled.

IN WITNESS WHEREOF, we have set our hands to this agreement in duplicate, this twenty-fifth day of May, in the year of our Lord, one thousand eight hundred and twenty-two.

LEVI LINCOLN,  
JAMES BRIDGE,  
GEORGE BLISS,  
BENJA. J. PORTER,  
LOTHROP LEWIS,  
SILAS HOLMAN.

ATTEST—JAMES L. CHILD, *Secretary*.