

MAINE STATE LEGISLATURE

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DOCUMENTS

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THE LEGISLATURE

OF THE

STATE OF MAINE,

DURING ITS SESSION

A. D. 1836.

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1836.

SIXTEENTH LEGISLATURE.

No. 73.

HOUSE.

R E P O R T

IN RELATION TO THE LAND DEPARTMENT.

STATE OF MAINE.

**HOUSE OF REPRESENTATIVES, }
March 28, 1836. }**

The Joint Select Committee to whom was referred the subject matter of a Resolve in favor of John Hodgdon, Land Agent, with instructions to ascertain the expenses of the Land Department and the propriety of depositing all moneys or notes arising from the sales of land, in the hands of the State Treasurer, having performed that service, ask leave to

REPORT :

That in their opinion, the existing laws in relation to that Department are defective inasmuch as they make no provision as to the time when moneys in the possession of the Agent shall be paid into the Treasury, although he is required by law to make out quarterly trial balances and balance sheets of the Land Office Ledger, and to return the same to the office of the State Treasurer. Sums of money might therefore be permitted to accumulate to a large amount in the hands of the Land Agent, and the State consequently receiving no interest or benefit therefrom, while at the same time claims against the State drawing interest, may be due, which ought to be promptly paid, thereby preventing the accumulation of interest, whenever and as soon as the money can be realised by the Treasurer for that purpose. In examining the Books and Accounts of said Agent, it was found that on the 10th of August, 1835, he had in his hands and paid to the Treasurer the sum of \$10,000; on the 18th of September following, the sum of \$10,000; on the 18th of November following, a like sum of \$10,000; on the 7th of December, the sum of \$11,944; on the 21st of the same month, \$13,200; and on the last day of said month the sum of \$4,929; amounting to the sum of \$59,373, received and paid by the Land Agent between the 10th day of August and the last day of December, 1835, something less than

five months, shewing the importance of the moneys thus received being paid at short intervals, into the Treasury, thereby enabling the Treasurer to appropriate the same for the use and benefit of the State. Your Committee are, therefore, of opinion, that the interest of the State require that all moneys collected and received by the Agent, should, at the close of every month, be paid into the Treasury, and are apprised of no difficulty or inconvenience which would arise from such an arrangement. The notes and securities taken for the sales of public lands, your Committee are of the opinion, ought to remain with the Land Agent according to provision of existing laws, as it is presumed he must be better informed as to the circumstances and condition of the debtors to the State, and as it would probably be more convenient for such debtors to settle with the Agent than to make payment to the Treasurer. Should it be deemed inexpedient to alter or repeal the law upon this subject, your Committee, believing that the information might be useful, if not important, recommend that it be made the duty of the Land Agent, when he shall make his Annual Report to the Governor and Council, of the state and affairs of his agency, also to furnish a statement of the number of suits instituted on notes or securities taken for lands sold or for timber and grass cut by trespassers or otherwise, and the amount of costs in each suit for the year preceding. The office of Land Agent being one of a permanent character,

and established by law, and as the mode of compensation heretofore made by annual grants and Resolves, are attended with expense, if not otherwise inconvenient and objectionable, your Committee recommend that a fixed salary be established for that office.

In pursuance to instructions, your Committee have made the necessary inquiry and examination, for the purpose of ascertaining the annual expenses of the Land Department, and herewith subjoin a statement of the expenses for the last five years next preceding the first day of January, A. D. 1836.

The whole expenses for said five years amounted to the sum of \$12,535 70 which are inclusive of all expenses of the Department of every description excepting for the surveys of land and personal services of the Land Agent.

The annual expenses were as follows, to wit :

For the year 1831, exclusive of			
surveys and services of Agent,	2512	84	
1832, do. do.	1725	19	
1833, do. do.	3982	89	
1834, do. do.	1683	70	
1835, do. do.	2631	08	

Amounting to the sum of \$12,535 70

The following statement shews the amount paid for surveying the public lands of this State for the last five years, viz.

For the year 1831,	2440 61
“ “ 1832,	2168 92
“ “ 1833,	2270 02
“ “ 1834,	1409 12
“ “ 1835, { Surveyor	
Gen's acct.	5479 25

Amounting in the aggregate }
to the sum of - } \$13,767 92

Services of the Land Agent for each
of said years, are as follows, to wit.

For the year 1831,	1000 00
“ “ 1832,	1000 00
“ “ 1833,	727 25
“ “ 1834, } not paid,	1000 00
“ “ 1835, }	1000 00
Extra services,	145 00

Amounting in the whole to the sum of \$4,872 25
\$31,175 87

Making the whole expenses including surveys, Land Agent's services, &c. for the five years as aforesaid, to amount to the sum of thirty one thousand one hundred seventy five dollars and eighty seven cents.

Your Committee further report that the Land Agent ought to receive for his personal services for the two years ending January 1st, 1836, the sum of two thousand dollars and for extra services rendered by him, in accompanying the Commissioners of

Massachusetts, by request of the Governor of this State, in exploring the undivided lands, the further sum of one hundred and forty five dollars, and which are to be in full compensation for all services by him performed to the first day of January, A. D. 1836.

Agreeable to the views thus taken by your Committee a Bill and Resolve are herewith respectfully submitted.

JOHN POTTER, *Per Order.*

STATE OF MAINE.

IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT
HUNDRED AND THIRTY-SIX.

AN Additional ACT to promote the sale and
settlement of the Public Lands.

SECT. 1. *Be it enacted by the Senate and
2 House of Representatives in Legislature as-
3 sembled,* That the sum of one thousand dol-
4 lars annually be allowed and paid out of the
5 Treasury of State to the Land Agent, in full
6 compensation for all services by him rendered
7 in that office.

SECT. 2. *Be it further enacted,* That it
2 shall be the duty of the Land Agent, when he
3 shall make his annual Report to the Govern-
4 or and Council, to include in such Report, a
5 written statement of the number of suits insti-
6 tuted on notes given for lands sold and for tim-

7 ber and grass cut by trespass, or otherwise, and
8 the amount of costs in each of said suits respec-
9 tively, for the year preceding.

SECT. 3. *Be it further enacted,* That it
2 shall be the duty of the **Land Agent** to pay in-
3 to the **Treasury** of this **State** at the expiration
4 of each month, all moneys in his hands collect-
5 ed or received on account of the sales of public
6 lands and for timber and grass cut thereon by
7 trespassers or otherwise.



STATE OF MAINE.

HOUSE OF REPRESENTATIVES }
March 28, 1836. }

Read twice and 300 copies of the same, together with the accompanying Report, ordered to be printed.

[Extract from the Journal.]

Attest: JAMES L. CHILD, Clerk.