

# MAINE STATE LEGISLATURE

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DOCUMENTS

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THE LEGISLATURE

OF THE

STATE OF MAINE,

DURING ITS SESSION

A. D. 1839.

VOL. 2.

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*AUGUSTA:*  
SMITH & ROBINSON, PRINTERS TO THE STATE.

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1839.

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**NINETEENTH LEGISLATURE.**

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**NO. 28.**

**HOUSE.**

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**REPORT**

**OF THE**

**COMMITTEE ON STATE LANDS.**

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[SMITH & ROBINSON,.....Printers to the State.]

# STATE OF MAINE.

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HOUSE OF REPRESENTATIVES, }  
February 18, 1839. }

This Report was read, and with accompanying Resolve laid on the table, and 300 copies of each ordered to be printed for the use of the Legislature.

CHARLES WATERHOUSE, *Clerk.*

## STATE OF MAINE.

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HOUSE OF REPRESENTATIVES, }  
January 18, 1839. }

THE Committee on State Lands, to which was referred the Petition of Daniel J. Perley and others, ask leave to report the following statement of facts together with a Resolution which is herewith submitted.

It appeared before your Committee, that in 1832 the Land Agents of the two States, pursuant to a Resolve of the Legislature, caused an exploration and estimate to be made of Township No. 6, 8th Range, a return of which was made to the Land Office, and there recorded, a copy of which here follows, viz:

*“Township No. 6th, 8th Range.—General Description.*

“ The west part is watered by the east branch  
“ of Penobscot river and Matagamon lake, the  
“ east part by three good log streams, and three  
“ ponds flowing into the Seboois river.

“ That part of this Township lying southwest of  
“ Matagamon lake, is rocky and mountainous, ex-  
“ cept about 200 acres on the west line, near the

“ lake, which is tolerably good for cultivation. The  
“ pine timber on this side of the lake, may be esti-  
“ mated at 400,000 feet.

“ The northwest quarter lies in alternate ridges  
“ of hard wood, hemlock, and spruce and vallies  
“ or swails of fir, cedar, spruce and pine timber.  
“ There are some ridges near the west line, of old  
“ burnt land, now covered with a small growth of  
“ white birch, spruce and poplar, and Norway pine.  
“ The pine timber in this quarter does not stand  
“ very compact, but it is in small bunches, and scat-  
“ tered over the tract and may be hauled into mea-  
“ dow-brooks, Matagamon lake, or the east branch.

“ The northeast quarter is an excellent timber  
“ tract; the surface is level and the soil poor for  
“ cultivation. This timber is of all sizes, from the  
“ small sapling to the large timber pine; here is also  
“ some large Norway pine; this timber may be  
“ hauled into good navigable streams very easily.  
“ These streams flow into Seboois river.

“ There is a tract of good timber, extending up  
“ and down, on the easterly side of Matagamon  
“ lake; also some good bunches of timber, in the  
“ south part, a little north of the south line, and  
“ in the southeast part, around a pond and stream,  
“ flowing into the hay stream; there are some very  
“ good ridges of settling land in the southeast half  
“ of this township. Spruce timber in great plenty,  
“ in almost every part of the township.

“ We estimate the pine timber on this Township at *thirty-five millions* feet, board measure.”

It also appeared by the records in the Land Office, that after said exploration and estimate, viz: October 24, 1832, the two States gave a permit to cut timber from the north-east quarter of said Township, at two dollars per M. standing, and that the quantity returned as having been cut on said tract, was 5,143,859 feet, and that in 1835 the Agents of the two States, pursuant to the Resolve aforesaid, caused said tract to be exposed at public auction to sale, and in the advertisement referred those wishing to become purchasers, to the said exploration and estimate in the Land Office.

It also appeared that on the 10th of June, 1835, that the petitioners became the purchasers of said tract, at the price of \$5 per acre, at which time it was publicly stated by the Agent of the State, that there had been taken from said tract since the said exploration and estimate, 5,143,859 feet of timber only, as appeared by the returns made to the Land Office. No other fact in relation to this tract appears to have been in the possession of the petitioners or on the books in the Land Office, except the minutes or field notes of the Surveyor who run the lines, and these corroborate the report and exploration aforesaid.

It also appeared in evidence to your Committee, that the permit aforesaid to cut off the timber on

this tract, was by the purchaser transferred to another person, and an obligation entered into with certain operators, by which they were obligated to cut and haul from said tract all the pine timber which was worth \$3 per thousand, and that in pursuance of said obligation all the pine timber of the aforesaid value was taken from said tract, and the obligation cancelled by the parties. It was proved that timber suitable for logs situated as favorably as timber on this tract, was worth at that period \$4 per thousand standing, and that the amount taken from said tract by said operators, was 6,300,000 feet. It was also proved that there had been taken from said tract timber previous to the operations aforesaid, for a part of which between 16 and 1700 dollars had been received by the State.

It also appeared in evidence before your Committee, that there had been at a former period a considerable amount of timber on said tract, but that the far greater portion of same, proved when cut down, to be defective and unsuitable to manufacture, and of no value.

It was also proved that all the timber on said tract of any value, had been cut off prior to the sale to the petitioners, thus rendering it of little value as a timber tract, and that no operations were ever had by the present petitioners on same tract, and that it had not been diminished in value by any acts or neglect of theirs.



Said tract was exposed to sale, and purchased as a timber tract, and there was no evidence before your Committee that it was suitable for settlement : on the contrary, it appeared from the Report aforesaid, that the “soil was poor for cultivation.”

It also appeared to your Committee, that about the sum of 20,000 dollars had been actually received by the two States for this Quarter Township, including the amount received on the permit aforesaid.

Your Committee, taking all these facts into consideration, and believing that strict justice requires that relief be given to the petitioners, unanimously agreed to the Resolve herewith submitted.

**W. DELESDERNIER, *Chairman.***

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**STATE OF MAINE.**

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**RESOLVE** in favor of **Daniel J. Perley** and  
others.

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*Resolved,* That the Land Agent be, and he  
2 hereby is authorized and directed to give up to  
3 **Daniel J. Perley** and others, purchasers of the  
4 north-east quarter of Township No. 6, 8th  
5 Range west from the east line of the State, their  
6 several notes given to this State for the pur-  
7 chase of same tract, whenever he shall have  
8 received from said purchasers, including the  
9 amount before paid, their respective proportions  
10 of this State's half of the sum of two dollars  
11 per acre; and on said payment, to release to  
12 said purchasers this State's interest in said tract;  
13 *Provided,* That the payments aforesaid shall  
14 be made on or before the 10th day of June  
15 next.