

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

DOCUMENTS

PRINTED BY ORDER OF

THE LEGISLATURE

OF THE

STATE OF MAINE,

DURING ITS SESSION

A. D. 1843.

AUGUSTA:

WM. R. SMITH & Co., PRINTERS TO THE STATE.



1843.

TWENTY-THIRD LEGISLATURE.

No. 42.]

[SENATE.

REPORT

OF THE

COMMITTEE ON AGRICULTURE.

[WM. R. SMITH & Co....Printers to the State.]

STATE OF MAINE.

IN SENATE, March 4, 1843.

The Committee on Agriculture, to whom was referred the petitions of several Agricultural Societies praying for a grant of land, have had the same under consideration, and ask leave to

REPORT,

that the petitioners have leave to bring in a bill, which is herewith submitted.

JAMES STROUT, *Chairman.*

STATE OF MAINE.

IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED AND
FORTY-THREE.

AN ACT for the promotion of Agriculture, Horticulture and Manufactures.

Be it enacted by the Senate and House of Representa-
2 *tives in Legislature assembled*—as follows :

3 SECTION 1. That there be and hereby is granted to
4 each Agricultural society in the State, that is now or
5 shall hereafter be organized according to law, a half
6 township of land of the usual number of acres, to be
7 used and appropriated by such society exclusively for
8 the promotion of the science and practice of agricul-
9 ture within the county where the society receiving
10 such grant shall be organized and within the limits of
11 its said grant; *provided however*, that no more than
12 one half township shall be appropriated to the purpo-
13 ses of this act for the benefit of agriculture within
14 each county, and if there be more than one such
15 society in a county said half township shall be divided
16 into as many parts as there are societies and conveyed
17 by the Land Agent, as hereinafter directed, to the
18 several societies in such county.

SEC. 2. The executive officers of said societies respectively, for the time being, shall constitute a board of trustees, and be vested with all powers requisite for the management of the land so granted, and to execute leases, conveyances, contracts and other instruments incident to the sale or improvement of the same, or of the timber or other products thereof, for and in the name of the society owning the same, and conformably to this act, and such laws and regulations as may be instituted by proper authority relating thereto, but all such leases, conveyances, contracts and other instruments, to be of binding effect, shall be in writing, and signed by at least three fourths of the whole number of trustees, required to be in office at the time, by the laws of the society interested therein, and the same shall also be made and executed only in the name and behalf of the society represented therein; and each society shall be and hereby is vested with all corporate powers required in order to sue and be sued and to institute, maintain and defend any and all suits at law or in equity, in and by the name aforesaid, which may arise or grow out of any of the doings of their respective boards of trustees acting within the authority given them by this act.

SEC. 3. Said grants of land shall be located in half townships and title thereto made to the said societies respectively, by the land agent of the State for the time being, according to the selection which may be made of the same by or under the authority of said

6 board of trustees respectively, the several societies
7 having priority of selection according to the date of
8 their several acts of incorporation, from any of the
9 unsold land belonging to the State, and as soon as
10 the land agent shall be notified in writing of such se-
11 lection, and the same shall also have been approved
12 by the governor of the State for the time being ; but
13 such selections shall be in all cases made so as to
14 avoid the existence of gores and parts of townships
15 at variance with the design of the State to form entire
16 townships in the progressive location of the unlocated
17 land belonging to the State.

SEC. 4. Each of said societies before making any
2 sale, lease, or other contract, respecting the disposi-
3 tion of any part of the grant so made to them respec-
4 tively, or of the timber thereon, shall cause the same,
5 as soon as may be convenient after the deed thereof
6 by the land agent shall be executed as provided in
7 section three of this act, to be run out and distinctly
8 marked into lots of one hundred acres each, in a di-
9 rection that shall render the same most valuable for
10 the purposes of agricultural settlers thereon ; and it
11 shall be the duty of the person or persons employed
12 to run out and mark said lots, faithfully to estimate
13 the quantity and quality of each kind of timber and
14 wood standing upon each lot, and make report there-
15 of in writing with as particular description as practi-
16 cable of the topography and soil of each lot, to the
17 trustees of the society causing the same to be made,

18 and a copy of such report shall be transmitted by said
19 trustees to the Legislature of the State, at the next
20 succeeding session thereof, for the information of the
21 State, and as the basis of more precise responsibility
22 in the subsequent management and disposition of each
23 lot of such grant, and the reasonable expenses so in-
24 curred in the preliminary preparation of each grant
25 for the beneficial uses of the society entrusted there-
26 with, and to place the same under the more direct
27 supervision of the State shall be allowed and refunded
28 by the State.

SEC. 5. No lot or other part of land run out as pro-
2 vided in section four of this act shall be sold to any
3 person without making it a condition in the convey-
4 ance that shall be made to him that he shall clear in
5 a proper manner fifteen acres thereof, ten or more of
6 which shall be well laid down to grass, and build a
7 house thereon within four years from the purchase of
8 the lot, and otherwise fulfil the payments of the con-
9 sideration agreed on for such section to the acceptance
10 of the society making the sale.

SEC. 6. From any lot of land run out, as aforesaid,
2 upon which shall be found timber suitable for sawing
3 into lumber, the trustees aforesaid in charge of the
4 same shall in no case sell any greater portion of such
5 timber to any other person than a settler or actual
6 purchaser of such lot upon the conditions aforesaid,
7 than may judiciously be taken and removed therefrom
8 without injury to such lot for the agricultural purposes

9 of a permanent settler thereon, and also without injury
10 to the reasonable supply of timber to those who are
11 or may become settlers of adjacent lots that may be
12 deficient of such timber.

SEC. 7. Said boards of trustees respectively shall
2 report annually to the Legislature, in a concise man-
3 ner, the quantity of said land sold by them respective-
4 ly, during the preceding year, when, and to whom,
5 and at what price, and upon what considerations each
6 parcel has been so sold, and similar particulars in re-
7 lation to all sales of timber that shall have been so
8 made ; also a report of all other contracts entered in-
9 to in relation to said land by such board of trustees
10 during the same year, and of all receipts and expendi-
11 tures of their respective societies respecting said land
12 for the same period, together with a detailed account
13 of the disposition made of the nett proceeds realized
14 therefrom, pursuant to the design expressed in the
15 first section of this act.

SEC. 8. When any agricultural society to whom
2 the State has granted any land according to the pro-
3 visions of this act shall cease to act or shall not render
4 to the Legislature such an account of their doings as
5 shall be satisfactory, or such as in the judgment of
6 the Legislature shall be in accordance with the design
7 of this act, it shall be in the power of the Legislature
8 to revoke the charter of such society or to declare
9 the title of said society to such tract of land or parts
10 thereof as have not been conveyed in fee by said

11 trustees to actual settlers null and void, and revert the
12 title of the same in the State—in which case it shall
13 be the duty of the trustees of such society or such
14 officer thereof as may have possession of the deeds,
15 bonds and obligations of every kind relating to said
16 land, together with any funds or money or securities
17 arising or growing out of said land to the treasurer of
18 the State—and on their or his refusal to do the same
19 he shall be subject to be indicted and punished by any
20 court proper to try the same, by a fine not exceeding
21 two thousand dollars or imprisonment not exceeding
22 one year.

SEC. 9. The respective boards of trustees aforesaid
2 shall have power to establish such rules and regula-
3 tions, in the management of the grants aforesaid, and
4 settlers thereon, not repugnant to the provisions of
5 this act, and any existing law of the State, as to them
6 may seem proper for the promotion of the interests of
7 their respective societies.

SEC. 10. All acts and parts of acts, inconsistent
2 with the provisions of this act, be and the same hereby
3 are repealed, and this act shall take effect from the
4 date of its approval by the governor.



STATE OF MAINE.

IN SENATE, March 2, 1843.

ORDERED, That 300 copies of the foregoing Report and Bill
be printed for the use of the Legislature.

ATTEST: JERE HASKELL, *Secretary.*