

# 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. 1850.

---

Augusta:

WILLIAM T. JOHNSON, PRINTER TO THE STATE.

1850.

---

---

# THIRTIETH LEGISLATURE.

---

No. 29.]

[HOUSE.

---

---

## STATE OF MAINE.

---

IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED AND  
FIFTY.

---

---

AN ACT in relation to lands reserved for public uses.

---

*Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :*

SECTION 1. In all townships or tracts of land unincorporated or not organized for election purposes, sold or granted by the state or the commonwealth of Massachusetts, or by both jointly in which lands have been reserved for public uses, the land agent of the state shall have the care and custody of such lands until such tract or township is incorporated or organized as aforesaid; and the agents of the reserved

9 lands for the several counties shall transfer to the land  
10 agent all papers and plans pertaining thereto, and all  
11 notes or other securities for timber and grass cut  
12 thereon, specifying to what townships such securities  
13 belong, which the land agent is authorized and  
14 required to collect as soon as the same arrive at  
15 maturity.

SECT. 2. The land agent is hereby authorized and  
2 directed to sell for cash, the right to cut and carry  
3 away the timber and grass from off the reserved lands  
4 referred to in the foregoing section which have been  
5 located—the right to continue until the tract or town-  
6 ship shall be incorporated or organized for plantation  
7 purposes; and whenever any tracts or townships of  
8 land may be hereafter sold or granted, either by the  
9 state or by the commonwealth of Massachusetts, or  
10 by both jointly, or when any tract or township may  
11 have been sold, but in which the reserved lands have  
12 not been located in one of the modes provided by  
13 law, the land agent of this state is hereby directed to  
14 sell the right to cut and carry away the timber and  
15 grass from off the lands reserved, until such township  
16 or tract shall be incorporated or organized as afore-

17 said, to the person or persons who shall or may own  
18 such tract or township, at the same rate per acre as  
19 the tract or township shall or may have sold for, mak-  
20 ing however, such reasonable deduction for the soil  
21 as in the opinion of the agent should be made: *pro-*  
22 *vided*, such purchaser of the tract or township may  
23 elect to purchase such right; but in case such party  
24 refuses to buy the right aforesaid, the land agent is  
25 authorized to sell the same to any other person.

SECT. 3. The land agent is hereby authorized and  
2 required in all cases where location of the lands re-  
3 served for public uses have not been already made,  
4 in townships or tracts which have been sold or  
5 granted by this state, or by the commonwealth of  
6 Massachusetts or by both jointly, and likewise in all  
7 cases of sales or grants made hereafter by the parties  
8 aforesaid, to proceed to procure the location of the  
9 lands reserved for public uses in such tracts or town-  
10 ships, in the same manner as is now provided by law  
11 for the county agents to proceed, unless steps shall  
12 have been previously taken by the proprietors of said  
13 tracts or townships to cause the same to be set apart  
14 and located under existing laws, or unless the land

15 agent and the proprietors can agree upon a location  
16 of the reserved lands aforesaid, and in case the agent  
17 and proprietors do agree thereon, this agreement be-  
18 ing reduced to writing and containing a specification  
19 and description of the boundaries of the lands reserved  
20 in each tract or township, under the hand and seal of  
21 the land agent and the proprietors, duly recorded and  
22 filed in the land office of the state, shall constitute a  
23 valid and binding location of the lands reserved for  
24 public uses in such tract or township.

SECT. 4. The agents who have heretofore had cus-  
2 tody of the reserved lands, are hereby required on or  
3 before the first day of January next, to render to and  
4 settle with the governor and council a minute and  
5 accurate account under oath, of all expenses incurred  
6 in the management thereof (and for the location of  
7 the same where such account has not been previously  
8 rendered) charging to each tract or township separ-  
9 ately the expenditures made or incurred thereon, and  
10 credit each tract or township separately with the  
11 amount of money received therefrom by said agents,  
12 and the balance, if any, in each case, in the hands of  
13 said agents, to be paid over to the state treasurer with

14 a specification of the township or tract to which such  
15 balance may belong.

SECT. 5. The land agent is hereby required to open  
2 an account with each township wherein the lands re-  
3 served for public uses are by the provisions of this  
4 bill committed to his custody, and enter all the expen-  
5 ditures made on account of the reserved lands therein,  
6 and also all sums of money received therefrom, either  
7 from the securities which may come to his hands from  
8 the county agents, or from trespasses which have been  
9 or may be committed thereon before the sale by him  
10 of the timber and grass as provided for by this bill,  
11 and also all sums which he may receive therefrom  
12 arising from the sales of the timber and grass. And  
13 the said agent shall settle the account of his expendi-  
14 tures and receipts aforesaid annually with the governor  
15 and council, and shall pay over to the state treasurer  
16 the balance in his hands, specifying from what tract  
17 or township the same has been received.

SECT. 6. The state treasurer shall keep a separate  
2 account with the reserved lands in each township  
3 from which funds may be paid over to him by the  
4 county agents or land agent in pursuance of the pro-

5 visions of this bill, and also with all townships or  
6 tracts for locating the reserved lands wherein the state  
7 has paid or may pay the expenses, and all charges  
8 which the state has paid or may pay on account of  
9 the reserved lands in any township or tract, whether  
10 for the location or for the custody and supervision  
11 thereof, shall be charged to the reserved lands in such  
12 tract or township, and the balance received therefrom  
13 after deducting the payments made by the state shall  
14 be paid over to the authorities provided by law to  
15 receive the same when they shall hereafter exist, until  
16 which time the funds arising from said reserved lands  
17 shall remain in the treasury.

SECT. 7. The assessors of plantations organized for  
2 election purposes, comprised within the limits of a  
3 single township, or one-half township, wherein lands  
4 reserved for public uses have been or may be hereaf-  
5 ter located, be and they hereby are authorized and  
6 required to protect the same from trespassers, and are  
7 empowered to prosecute any and all persons for tres-  
8 passing thereon in the name of such plantation, and  
9 all amounts received by said assessors for trespasses  
10 committed on such lands shall be invested for the



11 benefit of such plantation or plantations, and the  
12 interest arising therefrom to be applied to the use of  
13 schools therein in the manner provided by the laws of  
14 this state for towns.

SECT. 8. The assessors of plantations aforesaid in  
2 which the lands reserved for public uses have not  
3 been located before the passage of this act, be and  
4 they hereby are clothed with the same power as is  
5 conferred by the eighty-second chapter of the laws of  
6 Maine, approved August eleventh, eighteen hundred  
7 and forty-eight, upon the agent therein provided for,  
8 in relation to the location of such reserved lands, and  
9 shall proceed in the same way as said agent is re-  
10 quired to to procure the location thereof.

SECT. 9. All acts and parts of acts inconsistent with  
2 the provisions of this act be and the same are hereby  
3 repealed.

SECT. 10. This act shall be in force from and after  
2 its approval by the governor.

**STATE OF MAINE.**

---

HOUSE OF REPRESENTATIVES, August 10, 1850.

ORDERED, That 350 copies of the foregoing Bill, be printed for the use of the Legislature.

EDMUND W. FLAGG, *Clerk.*