

MAINE STATE LEGISLATURE

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DOCUMENTS

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THE LEGISLATURE

OF THE

STATE OF MAINE,

DURING ITS SESSIONS

A. D. 1851--2.

Augusta:

WILLIAM T. JOHNSON, PRINTER TO THE STATE.

1852.

THIRTY-FIRST LEGISLATURE.

No. 27.]

[SENATE.

STATE OF MAINE.

RESOLVES relating to the public lands.

Whereas, it has ever been the settled policy of the
2 United States, and of the several States of the Union,
3 to encourage the free and unrestricted alienation of
4 the soil, and the holding of land by our citizens in
5 fee simple—a policy at once in harmony with our
6 republican institutions and the genius of our people.

7 *Whereas*, Massachusetts early adopted the policy
8 and strictly adhered to it until Maine became a sepa-
9 rate and independent State ; and under the separation
10 it has been the policy of the two States, both in their
11 joint and separate action, to encourage the rapid
12 sale and settlement of the public lands, as is evinced
13 by the laws of the Commonwealth and of Maine, and

14 the terms of the agreement or compact entered into
15 by them in March, 1832, which compact provides,
16 not only for the free sale of the lands owned jointly by
17 the two States, but for liberal expenditures of money
18 in constructing roads and removing obstructions in
19 rivers and streams, for the purpose of making those
20 lands accessible to settlers and purchasers.

21 *And whereas*, Massachusetts, after having thus for
22 a long series of years, in a spirit of amity, pursued
23 this policy, (a policy in strict accordance with both
24 the letter and spirit of the articles of separation,) has
25 by a recent act of her legislature, without notice, and
26 without assigning any cause therefor, withdrawn
27 from the compact of March, 1832, above referred to,
28 and refused to aid us in making or maintaining those
29 improvements necessary to facilitate the sale and set-
30 tlement of the joint public domain, or to alienate the
31 title thereto or to any portion thereof, thereby debarr-
32 ing our citizens from becoming the owners of said
33 lands in fee simple, and our State from the right of
34 taxing the same, and introducing into our State a
35 system of tenure always objectionable, and peculiarly
36 obnoxious to our citizens and detrimental to our in-
37 terests; therefore, be it

Resolved, That the governor be, and he is hereby
2 authorized to appoint three commissioners to confer
3 with such commissioners as may be appointed by
4 Massachusetts, for the purpose of restoring the con-
5 current action of the two States under the compact
6 entered into between them on the 9th of March, 1832,
7 or of devising some other mode by which the lands
8 now owned in common by the two States, may be
9 sold in such quantities as may be deemed expedient
10 by the land agents of Massachusetts and Maine, and
11 for the purpose of opening and maintaining roads and
12 the improvement of rivers, for the benefit of said
13 lands.

Resolved, That said commissioners make a report of
2 their doings to this legislature, and that unless some
3 arrangement such as is contemplated by the foregoing
4 resolve, be by them perfected and adopted by the
5 legislatures of Massachusetts and Maine respectively,
6 at their present session, then the land agent of this
7 State be and he is hereby authorized to sell the inter-
8 est which Maine has in such portion of the public
9 lands held in common by this State and Massachu-
10 setts, as he may deem for the interest of the State.

STATE OF MAINE.

IN SENATE, March 9, 1852.

Ordered, That 350 copies of the foregoing Resolves, (reported by Mr. Cary, from the Committee on State Lands and State Roads,) be printed for the use of the Legislature.

ALBERT H. SMALL, *Secretary.*