

MAINE STATE LEGISLATURE

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DOCUMENTS

PUBLISHED BY ORDER OF

THE LEGISLATURE

OF THE

STATE OF MAINE.

1866.



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1866.

FORTY-FIFTH LEGISLATURE.

SENATE.

No. 28.

REPORT
OF
COMMITTEE ON EDUCATION
ON

*Petition of Reuben Higgins and others, praying for action relative to
the Variations of the Magnetic Needle.*

The Committee on Education, to which was referred the petition of Reuben Higgins and others, praying that action may be taken relative to the variations of the magnetic needle, have had the same under consideration, and ask leave to report the accompanying resolve and bill.

Per order,

D. T. RICHARDSON.

STATE OF MAINE.

RESOLVE in relation to the variations of the magnetic
needle.

Resolved, That the governor and council be, and
2 hereby are, authorized to appoint a commissioner, if
3 by them deemed expedient, who shall ascertain all
4 available facts in relation to the variations of the mag-
5 netic needle throughout the state from its first settle-
6 ment down to the present time, and deposit a record
7 of the same with the clerk of the courts in each county
8 of the state, where it shall be accessible to all persons
9 wishing to refer thereto. Said commissioner shall hold
10 his office during the pleasure of the governor and
11 council, not to exceed two years, and shall be paid for
12 his services such compensation as by them may be
13 deemed equitable and just.

STATE OF MAINE.

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

AN ACT to provide for ascertaining the variations of the
compass in this state.

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

SECTION 1. The county commissioners of any county
2 are hereby authorized to provide for the establishment
3 of a true meridian line at some convenient place in
4 their county, and cause the same to be marked and
5 designated by suitable monuments, under the direction
6 of some competent person, to be employed by them
7 therefor. He shall make a written report to them of
8 his doings, describing fully and accurately his methods
9 of determining and marking such meridian line, and
10 the location of the monuments.

SECT. 2. The commissioners shall present this report
2 to the supreme judicial court, at any regular term, in
3 the same county, and after such public notice as the

4 court shall require to be given, if the court shall be
5 satisfied that such meridian line was correctly marked
6 and designated, the court shall order the same to be
7 established as the standard meridian line for the coun-
8 ty, and the report with the order of the court thereon,
9 shall be recorded by the clerk ; and thereafterwards,
10 in any judicial proceedings in that county, such record
11 shall be *prima facie* evidence of the correctness of such
12 meridian line, whenever a question shall arise, respect-
13 ing the variation of the magnetic needle from the true
14 meridian, at any time after such line was established.

SECT. 3. It shall be the duty of the commissioners
2 of such county, to cause any instrument giving mag-
3 netic courses, commonly used by them in laying out
4 highways, to be compared with the standard meridian
5 line for the county, at least as often as once in six
6 months, and the variation to be recorded in their rec-
7 ords. And whenever in making return of their doings
8 upon the location, alteration or discontinuance of any
9 way, they shall designate any lines by magnetic
10 courses, they shall state in their return, and as a part
11 thereof, what were the deviations of such magnetic
12 courses, at the time, by the instrument used, from
13 the standard meridian line of the county.

SECT. 4. After the establishment of such meridian
2 line for a county, if any deed of land lying in that
3 county shall designate any of the lines of the same by
4 magnetic courses, any person who has been employed
5 by the parties to run such lines, may make his affi-
6 davit on the deed, before its delivery, if the parties
7 desire, stating that the instrument, by which such
8 lines were run, had, within six months prior thereto,
9 been compared with the standard meridian line of the
10 county, and stating what was the variation of the
11 needle by that instrument upon such comparison,
12 which affidavit shall be recorded with the deed. And
13 upon any question that may afterwards arise, respect-
14 ing the lines defined in such deed by magnetic courses,
15 such affidavit, or a record copy thereof, whenever a
16 copy of the deed may be used, shall be *prima facie*
17 evidence of the variation of the magnetic needle at the
18 date of such deed.

SECT. 5. The expenses of marking and designating
2 such meridian line and of establishing the same by the
3 supreme court shall be paid from the county treasury.
4 Registers of deeds shall be paid twenty cents for re-
5 cording such affidavit, in addition to the fee for regis-
6 try of the deed,

SECT. 6. If any person shall negligently or wilfully
2 displace any of the monuments, by which such merid-
3 ian line shall be marked, he shall be punished, upon
4 complaint or indictment, by fine not exceeding one
5 hundred dollars.

STATEMENT OF FACTS.

The magnetic needle varies from the meridian line at nearly all places on the face of the earth, and the variation is different at different places. There being at present no convenient means of ascertaining and comparing these variations, surveying is often attended with perplexity which apparently might be very materially lessened by the appointment of a commissioner, whose duty it shall be to ascertain any facts concerning these variations, and deposit a record of the same with the clerk of the courts of each county, where it shall be subject to the inspection of such persons as may have occasion to examine it.

Per order,

D. T. RICHARDSON.

STATE OF MAINE.

IN SENATE, February 15, 1866.

Read and accepted, and on motion of Mr. PORTER, laid on the table and 350 copies of the same ordered to be printed for the use of the Legislature.

THOMAS P. CLEAVES, *Secretary.*