

MAINE STATE LEGISLATURE

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Fifty-Seventh Legislature.

SENATE.

No. 44.

STATE OF MAINE.

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

[S. 68.] AN ACT to more fully carry out the proviso of section ten of the act of congress, chapter one hundred and seventy-seven of the acts of eighteen hundred and sixty-eight, making compensation for the lands assigned by Maine to settlers.

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

SECTION 1. In all cases where the person certified in
2 the return of Noah Barker to the land office under
3 commission dated September one, eighteen hundred
4 sixty-eight, as entitled to deeds of the lots assigned
5 under the treaty of Washington, have not received
6 such deeds, the land agent shall forthwith make and
7 deliver such deeds, according to said report, to the per-
8 son named, or to his legal assignee, where such assign-
9 ment is by deed, or to the legal heirs of such person.

SECT. 2. Whenever any settler to whom a lot of land
2 was assigned under the treaty of Washington, by the
3 commissioners appointed under resolve of February
4 twenty-one, A. D. eighteen hundred and forty-three,
5 or by the commissioners appointed under resolve of
6 April twenty-one, A. D. eighteen hundred and fifty-
7 four, or any person lawfully claiming under such set-
8 tler, shall have been lawfully evicted from such lot by
9 any person lawfully claiming by, through, or under any
10 grant of the same lot from the state, such person so
11 evicted may apply in writing to the governor and
12 council, within two years from the approval of this
13 act, or from the time of such eviction, stating the fact,
14 and claiming compensation.

SECT. 3. The reports of the commissioners of eigh-
2 teen hundred and forty-three and eighteen hundred
3 and fifty-four, aforesaid, and the report of Noah Bar-
4 ker, aforesaid, shall be taken to be sufficient prima
5 facie evidence of the facts therein stated. Other evi-
6 dence shall be under oath, except such as is documen-
7 tary. The governor and council may fix the form of
8 the application, and affidavits, and of the attestation
9 of documents, and also establish rules of procedure not
10 inconsistent with this act or the laws of the state.

SECT. 4. When the governor and council find suffi-
2 cient facts clearly proved, to bring the application

3 within section two of this act, they shall award such
4 claimant compensation to the amount of one dollar and
5 twenty-five cents per acre of the lot from which he
6 was evicted, not exceeding the number of acres named
7 in the reports of the said commissioners of eighteen
8 hundred and forty-three and eighteen hundred and
9 fifty-four, and shall also award such further sum as
10 they shall find was expense, necessarily and actually
11 incurred in proper defence of the title of the claimant.

SECT. 5. The governor and council shall draw their
2 warrant in favor of the claimant upon the treasurer for
3 the whole amount so awarded, payable out of any
4 monies appropriated for such purpose.

STATE OF MAINE.

IN SENATE, February 7, 1878.

Reported by Mr. NEALLEY of Penobscot, from the Committee on State Lands and State Roads, and laid over to be printed under the Joint Rule.

SAMUEL W. LANE, *Secretary.*