

MAINE STATE LEGISLATURE

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FIFTY-NINTH LEGISLATURE.

HOUSE.

No. 75

STATE OF MAINE.

RESOLVE relating to claims of settlers on proprietors' lands.

Resolved, That the governor and council be
2 directed to treat with the owners of the several
3 lots or parcels of land in township letter K, in the
4 second range, and township number eighteen in the
5 fourth range west from the east line of the state,
6 in the county of Aroostook, as set forth and de-
7 scribed in the report of Noah Barker, made in
8 pursuance of resolve of February twenty-seventh,
9 eighteen hundred seventy-three, for the purchase
10 of said lands, or for the exchange for them of
11 other lands owned by the state. And the gover-
12 nor and council are hereby empowered to purchase
13 the lands in said townships (Letter K and number
14 eighteen) as described in said report, at a price not
15 exceeding fifty cents per acre; *provided,* however,

16 that before such purchase money shall be paid to
17 said proprietor or proprietors, a good and sufficient
18 conveyance shall be made to the claimant or claim-
19 ants named in said report, or to his or their suc-
20 cessors or assigns holding the legal claim to such
21 lot or parcel of land in said townships, as named in
22 the report aforesaid. And the governor is hereby
23 authorized to draw his warrant upon the treasury
24 for the amount that may be necessary under this
25 resolve to purchase said lands.

STATEMENT OF FACTS.

Previous to the establishment of our North Eastern Boundary under the treaty of Washington, a vast territory lying contiguous to said boundary, equalling in area that of several of the New England States put together, had remained an unbroken wilderness, not even having been conveyed into townships, to say nothing of lots for settlement.

This was a part of what was known as the "Disputed Territory," upon which, as early as 1785, a little colony of terror-stricken French refugees, who had been driven, by British oppression from their beautiful and quiet homes, and diked farms in Acadia (so happily described by the poet Longfellow), fled for safety up the river St. John, hundreds of miles above the uppermost settlement on the river, in order to make for themselves new homes among the wild beasts of the forest, which they found less savage than they had found man to man!

Here they settled, at first upon the banks of the river, but as their numbers increased, the younger portion of them beat back into the forest, where they cleared the lands, built their cabins and continued to reside, with no other than *possessory titles* to their lands. In this situation they were found, at the time the treaty of Washington was made. But, under the treaty, it was stipulated that all the settlers residing upon the disputed territory, on either side of the boundary, should be dealt with upon liberal terms, and be quieted in their possessions; and this to a large extent has already been effected by the State and general government. On the settlement of the boundary, this large tract of country was surveyed into townships, many of which remained for years under the joint ownership of the two States of Maine and Massachusetts. Maine adopted the lenient policy of surveying such of her townships as were suitable for the purpose into

lots, and putting them into the market for settlement, while Massachusetts adopted a different policy, and sold her right in many of these townships to land speculators, with less regard for the interest of the settlers.

In 1853, Maine purchased of Massachusetts all her remaining interest in these lands, and then continued the same liberal policy towards the settlers as had previously been pursued. But while these back settlers were at work upon the lands, and making their improvements upon them, they found, to their dismay, that these townships had been sold by the State, and that they were actually upon lands owned by individual proprietors, and that they were regarded as trespassers, while they supposed they had been upon State lands, and would be dealt with in the same liberal manner as others had been, and the townships set apart for settlement. On township No. 15, range 3, lying next west to township letter K, the State, in 1870, planted a colony of Swedes, and built several¹ of their houses, felled five acres of trees on each of their lots, preparatory to the raising of crops, besides furnishing them with seed, implements and supplies for their families; and while these French settlers did not and do not expect similar favors from the State, yet they did hope, and still *do* hope that the State will not suffer them to be driven from the homes they have thus made on lands to which they now find the State has no title, having parted with them without making any reservation of the lots on which they have made their improvements.

And, although some of these possessory claims, might, in a court of equity, be decided legal, yet, most of these settlers, with large families to provide for, have not the pecuniary means to prosecute their claims in the suits already pending against them; and these being the only homes to which they can flee for shelter, in case they are driven from their farms, they must inevitably become paupers upon the State.

STATE OF MAINE.

IN HOUSE OF REPRESENTATIVES, }
February 26, 1880. }

Reported by Mr. FARRELL from Committee on State Lands and State Roads, and ordered printed, together with accompanying Statement of Facts, under rule.

ORAMANDAL SMITH, *Clerk.*