

# MAINE STATE LEGISLATURE

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# RESOLVES

OF THE

**FOURTH LEGISLATURE**

OF THE

# STATE OF MAINE,

**PASSED AT THE SESSION**

WHICH COMMENCED ON THE SEVENTH DAY OF JANUARY, AND ENDED ON THE  
TWENTY-FIFTH DAY OF FEBRUARY, ONE THOUSAND EIGHT  
HUNDRED AND TWENTY-FOUR.

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PUBLISHED AGREEABLY TO THE RESOLVE OF THE 28th OF JUNE, 1820.

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PORTLAND :

PRINTED BY TODD AND SMITH.....PRINTERS TO THE STATE.

1824.

## DOINGS

*Of the Commissioners of Massachusetts and Maine  
in the further Division of the Public Lands.*

Whereas, in and by a certain act of the Commonwealth of Massachusetts, passed the nineteenth day of June, in the year of our Lord, one thousand eight hundred and nineteen, entitled "An Act relating to the separation of the District of Maine from Massachusetts proper, and forming the same into a separate and independent State," it was among other things, enacted that all the lands belonging to the Commonwealth within the District of Maine, should belong the one half thereof, to the said Commonwealth, and the other half thereof to the State to be formed within the said District, to be divided by Commissioners to be appointed, as in and by the same act, was provided, between the respective States in equal shares or moieties in severalty, having regard to quantity, situation, and quality.

Now therefore, know all men by these presents, that we, Levi Lincoln, James Bridge, George Bliss, Benjamin J. Porter, Silas Holman, and Daniel Rose, Esquires, Commissioners, appointed according to the provisions of the aforesaid act, in part execution of the powers vested in us by virtue of said act, have divided, assigned, and set out in severalty, the following tracts and parcels of land to the Commonwealth of Massachusetts and to the State of Maine respectively, in severalty—to wit: to the Commonwealth of Massachusetts, the following townships and parts of townships lying between William Bingham's Kennebec purchase and New-Hampshire line, surveyed by Ephraim Ballard and Lemuel Perham, in the year 1794, for a particular description of them reference being had to their field books and a map in the land office of the Commonwealth aforesaid, under their hands, containing a plan of twenty-two townships; and the numbers and ranges of townships are designated on Greenleaf's map of the State of Maine, to wit: township number four in the first range containing twenty-four thousand four hundred and eighty acres; number four in the second range containing twenty-three thousand and forty acres; also the north part of township number one, in the fourth range which has not been conveyed to Bath Academy, containing eleven thousand five hundred and twenty acres; number two in the fourth range, containing twenty-three thousand and forty acres; also the following townships surveyed by said Ephraim Ballard and Phillip Bullen, in the year 1796, for a particular description whereof reference is to be had to the field books and a plan signed by

them in said land office ; and for the number and ranges of townships reference is also to be had to said Greenleaf's map, to wit : township number one in the fifth range of townships, containing twenty two thousand and eighty acres ; number four in the said fifth range, containing twenty three thousand and forty acres ; number three in the sixth range, containing twenty six thousand eight hundred and eighty acres ; number four in the sixth range, containing twenty nine thousand five hundred and eighty acres. Also the following townships surveyed by John Neal and Thomas McKechnie, in the year 1811, and by said Neal in 1812, for a description thereof, reference being had to their field books and a map in the land office of said Commonwealth, signed by said John Neal and reference for the number of the townships and for the ranges of them is to be had to Greenleaf's said map and said Neal's plan aforesaid ; number one in the seventh range of said townships containing twenty thousand two hundred acres ; number two in the same last mentioned range containing twenty thousand and two hundred acres ; the numbers of the townships where they vary are to be taken according to said maps and not according to the field books. The whole of the above lying between said Bingham's purchase and New-Hampshire line. Also the following townships lying north of said Bingham's Kennebec million acre purchase so called, reference for the numbers and ranges of the townships to be had to said Neal's plan and said Greenleaf's map aforesaid, viz. : number three in the second range containing twenty three thousand and forty acres ; number three in the third range containing twenty three thousand and forty acres ; number three in the fourth range containing twenty three thousand and forty acres ; number three in the fifth range, containing twenty three thousand and forty acres ; number four in the second range, containing twenty three thousand and forty acres ; number five in the first range, containing twenty three thousand and forty acres ; number six in the third range, containing twenty three thousand and forty acres ; number five in the second range, containing twenty three thousand and forty acres. Also township number nine, situated in the county of Washington, and delineated on the plan of a survey of ten townships of land made by Alexander Greenwood and Roland Holden, in the year 1811, lying on the St. Johns road so called, containing twenty three thousand and forty acres. Also three hundred acres of land in the town of Orland ; three hundred acres of land in the towns of Penobscot and Castine, and three hundred acres of land in the town of Surry ; making in the whole of the three last mentioned parcels nine hundred acres, re-

served for the future appropriation of the Commonwealth. Also all the right which the said Commonwealth and State have in the following lots lying in the town of Hermon, formerly number two in the second range, north of the Waldo patent, to wit : number one, number two, number three, number four, number six, number nine, number eleven, number seventeen, number twenty one, each containing one hundred acres, according to Salem Town's return of Andrew Strong's plan and survey, dated Oct. 30, 1804, now in the said land office. Also all the right of the said Commonwealth and State, to the following lots in the town of Hampden, to wit : lot number one, lot number thirty six, lot number thirty seven, lot number thirty eight, lot number forty three, lot number ninety six, lot number one hundred and four, lot number one hundred and sixty, lot number one hundred and sixty six, each containing one hundred acres according to Ephraim Ballard's plan of a survey made in May and June 1796, and Park Holland's return thereof, dated September 12th, 1803, in the land office. Three hundred acres of the above last mentioned lots having been paid for, as we have understood by the respective settlers thereon, but it cannot now be ascertained which of said lots have been so paid for : Also all the right of the said Commonwealth and State to the following lots in the town of Newburgh, formerly township number two in the first range, north of the Waldo patent, to wit : number four, number seven, number eight, number ten, number fourteen, number thirty two, and number forty ; each containing one hundred acres, according to Salem Town's survey and plan, dated March 5th, 1804, in said land office. The said lots in the said three last mentioned towns to be subject to the claims or rights which any person or persons, may have to them, and the said Commonwealth to perform all that the said Commonwealth would have been holden to perform, had not said act of separation passed. Also all the right which the said Commonwealth and State have in and unto a lot of land in Brownfield, contracted to be sold to Joseph Howard, Oct. 13th, 1819, together with all the right and title to the contract of said Howard, and the money thereby secured to be paid ; and the said Commonwealth to be holden to perform whatever the said Commonwealth would have been holden to perform had not said act of separation passed. Also all the right of the said Commonwealth and the said State, in and to Trafton Island and Gourd Island, lying in Narraguagus Bay, contracted to be sold to James Campbell, by contract, bearing date June 22d, 1819, together with all the right to the contract of said Campbell, and the money thereby secured to be paid, and the said Commonwealth to perform whatever the said Commonwealth

would have been holden to perform had not said act of separation passed.

And to the State of Maine the following townships and parts of townships lying between William Bingham's Kennebec purchase, so called, and New-Hampshire line, surveyed by Ephraim Ballard and Lemuel Perham, in the year 1794, for a particular description of them reference being had to their field books, and a map containing a plan of twenty two townships under their hands, in the land office of the said Commonwealth ; and the numbers of the townships and ranges are also designated on Greenleaf's map of the State of Maine, to wit : townships number five in the first range, containing thirty one thousand seven hundred and eighty acres ; number one in the second range, containing twenty three thousand and forty acres ; also the south half part of township number one in the third range, containing nine thousand four hundred and eighty acres ; number three in the fourth range, containing twenty three thousand and forty acres. Also the following townships and parts of townships surveyed by said Ephraim Ballard and Phillip Bullen, in the year 1796, for a particular description of them, reference to be had to their field books, and a plan signed by them remaining in said land office ; and for the numbers and ranges of townships, reference is also to be had to Greenleaf's aforesaid map, to wit : township number two in the fifth range, containing twenty three thousand and forty acres ; number three in the fifth range, containing twenty three thousand and forty acres ; also part of number five in the fifth range, not sold or granted, containing three thousand five hundred and twenty eight acres ; number one in the sixth range, containing twenty five thousand nine hundred acres ; number two in the sixth range, containing twenty six thousand eight hundred acres. Also the following township, surveyed by John Neal and Thomas McKechnie, in the year 1811, and by said Neal in 1812, lying northwesterly of said Bingham's purchase, for a description thereof, reference to be had to their field books and a map, signed by said John Neal, in said land office ; the numbers and ranges of townships to be regulated by said map, and also Greenleaf's map of said State, and not by the numbers mentioned on their field books, to wit : township number one in the eighth range, containing twenty three thousand and forty acres ; and number two in the eighth range, containing twenty thousand and two hundred acres. Also the following townships lying north of Bingham's Kennebec million acre purchase, so called, reference for the numbers and ranges of the townships to be had to said Neal's plan, and said Greenleaf's map aforesaid, to wit : number four in the first range, contain'

twenty three thousand and forty acres ; number four in the third range, containing twenty three thousand and forty acres ; number four in the fourth range, containing twenty three thousand and forty acres ; number four in the fifth range, containing twenty three thousand and forty acres ; number three in the first range, containing twenty three thousand and forty acres ; number six in the first range, containing twenty three thousand and forty acres ; number six in the second range, containing twenty three thousand and forty acres ; also number ten, situated in the county of Washington, and delineated on the said Greenwood and Holden's plan aforesaid, lying on the said St. Johns road, containing twenty five thousand seven hundred and thirty two acres ; also half township number eleven, situated in the county of Washington, and delineated on said Greenwood and Holden's said plan, containing eleven thousand five hundred and twenty acres ; also three hundred acres in the town of Bucksport ; three hundred acres in the town of Bluehill, and three hundred acres in the town of Sedgwick, making in the whole of the three last mentioned lots, nine hundred acres, which were reserved for the future appropriation of the Commonwealth ; also all the right which the said Commonwealth and State now have in the following lots in the town of Bangor, to wit : numbers thirty six, forty, fifty seven, eighty five, ninety three, one hundred and one, one hundred and four, each containing one hundred acres, as delineated on a plan and survey, made by Park Holland, dated November 30th, 1801, now in said land office ; also twenty one acres and seventy one rods of land in the town of Sanford, in the county of York, as delineated on John Hanson's plan in the said land office, returned by Lothrop Lewis in February, 1808. The whole of the said lots to be subject to the claims which any person or persons may have to them, and the said State to perform all that the said Commonwealth would have been holden to perform had not said act of separation passed ; also a tract of land between the towns of Raymond and Standish, in the county of York, [Cumberland] containing eight hundred & forty acres, according to a plan in the said land office signed by Lothrop Lewis, and dated January 10th, 1808 ; also two lots on Iron-bound Island, in Frenchman's Bay, in the possession of George Chiscut and Barnabas Young, containing two hundred acres ; also all the right which the said Commonwealth and said State have to the following lots of land in the town of Penobscot, as delineated and described on a plan of part of said town, signed by Lothrop Lewis, Surveyor General, in said land office, dated March 4th, 1820, being lands upon which certain awards were made by the Commissioners of the land office, bearing date March 6th, 1820, to

wit : seventy four acres, part of lot number fifty five ; ten acres, part of lot number sixty four, and ten acres, part of number sixty five ; eighty acres, part of lot number sixty six ; one hundred forty six acres, part of lot number sixty nine ; eighty acres, part of lot number seventy ; eighty acres, part of lot number seventy four ; also sixty eight acres, part of lot number seventy six, not heretofore assigned to said Commonwealth ; also lot number eighty, containing one hundred and sixty acres ; lot number eighty five, containing one hundred and sixty acres ; also eighty acres, part of lot number eighty three ; the said State to take the same lots in Penobscot, subject to the right which any person or persons may have thereto under said awards and to do and perform all things which the said Commonwealth would have been holden to do and perform, had not said act of separation passed ; reference is to be had to the said award of said Commissioners, now in the land office for a description of the title to said parts of lots aforesaid : and whereas there are certain lots in said town of Hermon, which were paid for according to the Resolves passed by said Commonwealth before the act of separation took effect, we assign the same to said Commonwealth in order that such conveyance may be made thereof as would have been made, had not said act been passed.

And we do adjudge that the said right, title and interest so assigned and divided to the said Commonwealth and the said State, respectively, are, considering the situation and quality, equal the one to the other. To have and to hold to the Commonwealth of Massachusetts and their assigns, the lands above allotted to them, in severalty, and to the State of Maine and their assigns, the lands above allotted to them, in severalty. And it is expressly agreed that the lands so divided and allotted, as aforesaid, are to be taken as they now are without any allowance for any mistake, former conveyance or defect of title whatever ; and that there shall be no claim of either upon the other for or on account of any irregularity in said division from any cause whatever.

In witness whereof, we, the said Commissioners have, to these presents, interchangeably set our hands and seals, this twenty first day of May in the year of our Lord one thousand eight hundred and twenty three.

LEVI LINCOLN, (SEAL.)  
 JAMES BRIDGE, (SEAL.)  
 GEORGE BLISS, (SEAL.)  
 BENJA. J. PORTER, (SEAL.)  
 SILAS HOLMAN, (SEAL.)  
 DANIEL ROSE, (SEAL.)

ATTEST—JAMES L. CHILD, *Secretary.*