

MAINE STATE LEGISLATURE

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RESOLVES

OF THE

EIGHTH LEGISLATURE

OF THE

STATE OF MAINE,

PASSED AT THE SESSION

WHICH COMMENCED ON THE SECOND DAY OF JANUARY, AND ENDED
ON THE TWENTY-SIXTH DAY OF FEBRUARY, ONE THOUSAND
EIGHT HUNDRED AND TWENTY-EIGHT.

Published agreeably to the Resolve of the 20th June, 1820.

PORTLAND.

PRINTED BY THOMAS TODD.....PRINTER TO THE STATE.

1828.

five cents per volume. And the sum of seven hundred and eight seven dollars and fifty cents, is hereby appropriated for that purpose, for which sum the Governor is hereby authorized, with advice of Council, to draw his warrant on the Treasury, when the said volumes shall have been deposited in the Secretary's Office, for the use of the State.

[*Approved by the Governor, January 23, 1828.*]

STATE OF MAINE.

HOUSE OF REPRESENTATIVES, 17th Jan. 1828.

The Committee, to whom was referred so much of the Governor's communication as relates to the Kennebec or Canada Road, have had the same under consideration and ask leave to REPORT :—

That the Resolve of Massachusetts passed June last, granting township No. 5, of the 2d Range north of the Bingham tract, toward the construction of the Canada Road, required of us two conditions. First, that the road should be completed in one year from next June. Second, that the Road should be constructed on the *same* route that was laid out by virtue of a resolve of Massachusetts, passed June, 1817.

It may be unprofitable and perhaps impossible, for this State to fulfil the first condition ; and a compliance with the second would be mutually injurious to the interests of Massachusetts and Maine, as will be perceived by reference to the Report of the Agents appointed last season by this State. For should the contemplated Road pass over BALD MOUNTAIN, so called, as does the old one, laid out by authority of Massachusetts, it would completely frustrate one great design of this road, which is, to afford facility for the transportation of agricultural produce and other heavy articles of trade. To avoid the aforesaid mountain, the acclivity of which is utterly inaccessible by a loaded team, and nearly so by a travelling carriage ; and also to correct several unnecessary deviations in the old route from a straight line, were the principal objects of the survey last Autumn. After strict research and much labor, the Agents discovered a pass between Bald Mountain and a stream of water, which obviates the difficulty of that hill, and by reference to the plan, it will be seen, that the old road is straightened in several places, by a route, equally, if not more, level.

All the objects of the survey, having been thus happily accomplished, by the assiduity of our Agents ; it now remains

for Massachusetts to adopt these corrections, which we consider indispensable to the future usefulness of the road, by such alterations of her Resolve of June last as she may think proper. Although the township granted by that State, may not be an adequate compensation for making her proportion of the road, yet your Committee have the high satisfaction to acknowledge the spirit of liberality she evinces, and are of opinion that it is for the interest of this State to accept the proposed grant under the modifications already suggested, and confide in her distinguished magnanimity for ultimate justice.

It is well known that the face of the country from QUEBEC to the Canada line is unusually even, the road over more than sixty miles of which, will compare with most of our turnpikes. And our Agents inform us, that there is not a hill of unusual ascent from the Canada to the North line of the Bingham tract, on the route they have reported—that the profile view of this road, when completed will compare with most of the roads in New England of equal length—that over more than three fourths of the whole distance a carriage may with safety and ease be driven, with the greatest speed—that the townships through which the route passes are most of them well watered with streams and ponds of considerable size, and contain portions of good settling land—that the geologist will here find much to gratify his curiosity or his research—that the valetudinarian, when he arrives at the height of land between the St. Lawrence and the Atlantic, will breathe an air as pure and invigorating as any in the United States,—and that he who travels for pleasure will find many scenes of real beauty and some of comparative grandeur, little, if any, inferior to the most interesting portions of our country.

But your committee view the importance of this road in another and stronger light. It must open a great thoroughfare to Quebec, a city of great and increasing consequence to the British Government ; and, as the principal port of exportation for the Canadas, one which may afford an advantageous market for the surplus productions of our soil. For the general policy of the British Government to monopolize the carrying trade of the world, to the exclusion of other countries, must encourage the transportation by land, of articles of trade from this State to the shores of their own waters, whence they may be exported in their own bottoms.

For these, with other considerations, your committee offer the following Resolve ; indulging the hope that Massachusetts will so far modify her Resolve already alluded to, as to cooperate with us, in an undertaking, mutually beneficial to both

States, and which we cannot but predict will remain to future times, a monument of that liberality and enterprize which characterize the present period of our Republic.

M. SHAW, *Per Order.*

CHAPTER IV.

Resolve relating to the State Road north of the Bingham Purchase.

Resolved, That the State of Maine accept the township of land granted by the Commonwealth of Massachusetts, by their Resolve of June last, entitled a "Resolve relating to the State Road north of the Bingham Purchase in the State of Maine," and agree to make said road from the north line of the Bingham Purchase to Canada line according to the provisions of said Resolve; *Provided,* The Legislature of Massachusetts will so modify the same as that said road may be made on the route lately examined and reported by the agents of this State, appointed under the Resolve of the twelfth of February last, and extend the time for making said road to the first day of November in the year one thousand eight hundred and thirty.

Resolved, That, whenever the Legislature of Massachusetts will so modify the terms of their aforesaid grant, the Governor of this State, with advice of Council, be authorized to appoint one or more agents, to make, or cause to be made, under their personal superintendance, said road, on the route aforesaid, so far as the same passes over land belonging to this State and Massachusetts, in a manner safe and convenient for travellers, their horses and carriages.

Resolved, That a sum not exceeding five thousand dollars to be raised in the manner herein provided, together with the proceeds of the sale of the township granted by the Commonwealth of Massachusetts, as aforesaid, be, and the same hereby is appropriated for the purpose of carrying into effect the provisions of this Resolve.

Resolved, That a township of land six miles square, to be selected by the agent or agents, whose appointment is herein authorized, within three months from the time he or they shall be notified of their appointment, be assigned and laid out from any of the unappropriated lands of this State, (subject to the reservation contained in the eighth section of an Act to promote the sale and settlement of Public Lands, passed the twenty-fifth day of February, one thousand eight hundred and twenty four,) and the same is hereby appropriated for the purpose of raising the sum aforesaid.

Resolved, That the Land Agent be, and he hereby is, directed to sell at public auction the township thus selected, and also

the township granted for this purpose by Massachusetts, in whole or in parts, as he may deem best, as soon as may be, after said modification shall be adopted by the Legislature of Massachusetts, after giving at least sixty days notice of the time and place of sale, by advertising the same in some newspaper in each county in this State, if any be therein printed, upon such credit as may be best calculated to give effect to this Resolve. And said Land Agent may adjourn said sale from time to time, as he may judge expedient ; and the proceeds thereof he shall deposit in the Treasury of this State.

Resolved, That the Governor be, and he hereby is, authorized, to draw his warrant on the Treasurer in favor of the agent or agents, to be appointed under this Resolve for the whole amount of the proceeds of the sale of the township granted as aforesaid by the Commonwealth of Massachusetts, and also from the proceeds of the sale of the township hereby appropriated, a sum not exceeding five thousand dollars for the purpose of effecting the object herein contemplated. And said agent or agents shall be required to give bonds with surety satisfactory to the Governor and Council, for the faithful performance of the duties herein assigned them. They shall keep a correct account of the monies by them received, and of the sums expended in making said road and exhibit the same, together with all contracts by them made in the execution of their duties, to the Governor and Council, who are hereby authorized to examine and adjust the same ; and whatever balance may remain in the hands of said agent or agents, after said examination and adjustment of his or their accounts, shall be paid into the Treasury of this State.

Resolved, That the Governor be requested to transmit a copy of this Resolve, with the Report of Messrs. Redington, Sewall and Smith, and the plan of the route by them recommended, to the Governor of Massachusetts, requesting the adoption by the Legislature of that Commonwealth, of such modification of the terms of their grant as will accord with the provisions herein adopted.

[*Approved by the Governor, January 24, 1828.*]

CHAPTER V.

Resolve for making the State Road from Baring to Houlton Plantation, near Baskahegan.

Resolved, That the Governor and Council be, and hereby are authorized to appoint an Agent to open and make the road, called the Baring road, through the land of this State,