

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

RESOLVES

OF THE

NINTH LEGISLATURE,

OF THE

STATE OF MAINE,

PASSED AT THE SESSION

WHICH COMMENCED ON THE SEVENTH DAY OF JANUARY, AND ENDED ON
THE SIXTH DAY OF MARCH, ONE THOUSAND EIGHT HUN-
DRED AND TWENTY NINE.

Published agreeably to the Resolve of the 28th June, 1820.

Portland:

DAY & FRASER.....PRINTERS TO THE STATE.
1829.

Island in all Judicial Courts within and for this State. And the consideration money for the purchase of said Island shall be paid to the Indian Agent, to be appropriated to the use of said Indians, as the Governor and Council shall direct.

CHAP. 29.

Resolve in favor of George Littlefield.

Approved February 28, 1829.

RESOLVED, That there be paid out of the Treasury of the State to George Littlefield, fifty dollars, as a compensation for the loss of a horse, sustained by him, while on military duty.

MESSAGES OF THE GOVERNOR.

To the Senate and House of Representatives :

I herewith transmit a plan of the line between Maine and New Hampshire, as determined by the Commissioners, who have recently acted upon that subject.

ENOCH LINCOLN.

COUNCIL CHAMBER, }
Portland, Jan. 13, 1829. }

To the Senate and House of Representatives :

Since my last communication in relation to the boundary line between this State and New Hampshire, I have received the accompanying document, which is transmitted for the consideration of the Legislature.

ENOCH LINCOLN.

COUNCIL CHAMBER, }
Portland, Feb. 9, 1829. }

NOTE.—The document above referred to was the remonstrance of John Robie and others.

We, William King and Rufus McIntire, Commissioners, appointed on the part of the State of Maine, and Ichabod Bartlett and John W. Weeks, Commissioners, appointed on the part of New Hampshire, to ascertain, survey and mark the line between the States of New Hampshire and Maine, and to erect suitable monuments to designate it as the true boundary line of said States, have surveyed said line, marked the same, and erected monuments to designate it as the true boundary line of said States in the manner herein set forth.

The Report of the Commissioners appointed by his Majesty's order in Council of February twenty second 1735, and confirmed by his order of the fifth of August 1740, having established, "That the dividing line shall pass up through the mouth of Piscataqua Harbor and up the middle of the river of Newichwannock, part of which is now called the Salmon falls, and through the middle of the same to the farthest head thereof, &c."—and, "that the dividing line shall part the Isle of *Sholes*, and run through the middle of the Harbor between the Islands to the sea on the southerly side," &c. We have not deemed it necessary to commence our survey until we arrived north, at the head of Salmon falls river; which was determined by Bryant, at his survey in 1740, to be at the outlet of Eastpond, between the towns of Wakefield and Shapleigh. From that point we have surveyed and marked the line as follows, viz: We commenced at the Bryant rock, known as such by tradition, which is a rock in the middle of Salmon falls river, at the outlet of Eastpond, about six feet in length, three feet in breadth, three feet in depth and two feet under the surface of the water, as the dam was at the time of the survey, to wit, October 1, 1827,—said stone bears south seventy one degrees west, three rods and eight links from a large rock on the eastern bank marked "1827"—and bears also from a rock near the mill dam (marked "H") north nineteen degrees and thirty minutes west, and distant twelve rods and twenty one links. At this point the variation of the needle was ascertained to be *nine degrees west*. From the above stone the line is north seven degrees and forty one minutes east, one hundred and seventy eight rods to Eastpond, and crossing the pond three hundred and eleven rods in width, to a stone Monument, which we erected upon the bank, about three and an half feet high above the surface of the ground, marked N on the west side and M on the east side, which description applies to all the stone monuments hereinafter mentioned, unless they are otherwise particularly described: thence the same course, two hundred and twenty five rods to Fox ridge and to a stone monument, which is placed upon the north side of the road that leads from Wakefield to Shapleigh; thence two hundred rods to Balch's pond;—across the pond, one hundred and three and half rods—across a peninsula thirty six rods—across a cove, fifty one rods and seventeen links, across a second peninsula, forty eight rods, across a second cove twenty seven rods ten links;—thence three hundred and seventy rods to the road leading from Newfield to Wakefield, and a stone monument erected on the north side of the same near Campernell's house; thence north six degrees and ten minutes east, five hundred and ninety rods to the line of Parsonsfield to a stone monument with additional mark "1828." At this point the variation of the needle was found to be *nine*

degrees fifteen minutes west ; thence same course five hundred and eleven rods crossing the end of Province pond to a stone monument on the Parsonsfield road, near the house of James Andrews, also with additional mark "1828 ;" thence north eight degrees and thirty eight minutes east, two hundred and eight rods to the old corner stone of Effingham, about two feet above the ground and not marked ; thence north eight degrees, fifty five minutes east, two hundred and seventy seven rods to a large round stone about three feet diameter and two feet high, marked N. and M. by the road upon Towle's Hill ; thence north seven degrees fifty five minutes east ; six hundred and thirty one rods to a stone monument on the road leading from Parsonsfield to Effingham. At this point the variation of the needle was found to be nine degrees thirty minutes west ; thence north five degrees two minutes east, seven hundred thirty four rods to a pine stump upon a small Island in Ossipee river at the foot of the falls ; thence north ten degrees east thirty rods to a stone monument on the north side of the new road from Porter to Effingham ; thence the same course, five hundred fifty eight rods to the top of Bald Mountain ; thence same course three hundred sixteen rods to the top of Bickford Mountain ; thence same course one hundred and ninety three rods to a stone monument on the north side of the road leading from Porter to Eaton. At this point the variation of the needle was found to be nine degrees forty five minutes west ; thence north eight degrees five minutes east, seven hundred and forty four rods to Cragged Mountain ; thence same course sixty seven rods to the corner of Eaton ; thence same course, seven hundred eighty seven and an half rods to the corner of Conway ; thence same course, six hundred ten and an half rods to a stone monument on the south side of the road leading from Brownfield to Conway centre ; thence north eight degrees east, eight hundred seventy one rods to a stone monument on the south side of the road leading from Fryeburg village to Conway—at this point the variation of the needle was found to be ten degrees west ; thence same course four rods to a stone monument on the north side of the same road ; thence north eight degrees fifteen minutes east, one hundred two rods to Saco river ; thence same course eighteen rods across said river ; thence same course six hundred forty four rods to a stone monument on the road leading to Fryeburg village, on the north side of the river. This monument is marked as before described and is about eight feet high above the ground ; thence same course one hundred forty two rods to Ballard's Mill Pond ; thence same course sixty one rods six links across said pond ; thence same course three hundred forty four rods to a stone monument on the east side of Chatham road ; thence same course six hundred

ninety rods to Kimball's Pond ; thence same course one hundred sixty six rods across said pond ; thence same course sixty rods to a stone monument on the meadow ; thence same course nine hundred forty rods to the corner of Bradley and Eastman's grant ; thence same course six hundred and ninety rods to a stone monument on the east side of the cold-river road ; this stone is marked as before described, but is not more than two feet above the ground ; thence same course one thousand five hundred forty rods to the corner of Warner and Gilman's location a pile of stones :—at this point the variation of the needle was found to be ten degrees twenty three minutes west ; thence same course four hundred and fifty rods to top of Mount Royce ; thence same course eight hundred ninety eight rods to Wild river ; thence same course eight rods across said river ; thence same course seven hundred sixty five rods to a stone monument on the north side of the road leading from Lancaster to Bethel ; thence same course one hundred rods to Androscoggin river ; thence same course eighteen rods across said river ; thence north eight degrees ten minutes east, four thousand one hundred sixty two rods across ten streams to Chickwalnepg river ; thence same course two thousand five hundred rods to a stone monument on the north side of the road leading from Errol to Andover ; this stone is marked ' N. H. ' and ' M. ' ; thence same course two hundred ten rods to Cambridge river ; thence same course eight rods across said river ; thence same course five hundred sixty seven rods to Umbagog Lake ; thence same course thirty four rods across a cove of the same ; thence same course ten rods across a peninsula of the same ; thence same course two hundred twenty five rods across a bay of said lake ; thence same course two hundred six rods across a peninsula of the same ; thence same course one thousand one hundred sixty five rods across the north bay of said Lake to a cedar post marked ' N. ' ' M. ' ; thence north eight degrees east seven hundred fourteen rods to pond brook ; thence same course two hundred twenty five rods to a stone monument on the south side of the Margalloway river ; thence same course ten rods across said river ; thence same course one hundred sixty two rods to a spruce, corner of the college grant ; thence same course two hundred sixty four rods to Margalloway river a second time. At this point the variation of the needle was found to be eleven degrees forty five minutes west ; thence same course ten rods across said river ; thence same course two hundred and ninety rods to same river a third time ; thence same course across said river ten rods to a monument made with three stones on the north side of said river, about two feet high and not marked ; thence same course four hundred forty four rods to corner of township number five in second range in Maine ; thence same course one thousand eight hundred six rods to the north

corner of the same township ; thence same course four hundred and sixty rods to a branch of Little Diamond river ; thence same course three hundred fifty rods to another branch of the same ; thence same course two thousand one hundred twenty rods to a branch of the Margalloway river ; thence same course three hundred thirty two rods to another branch of the same ; thence same course four hundred rods to a steep mountain called Prospect Hill ; thence same course nine hundred and twenty rods to Mount Carmel, sometimes called Sunday Mountain ; thence same course four hundred rods to a perpendicular precipice ; thence same course five hundred and forty rods to a branch of Margalloway river ; thence same course two hundred and sixty rods to a branch of the same ; thence same course three hundred forty six rods to a second steep precipice ; thence same course one hundred eighty six rods to a branch of Margalloway river ; thence same course two hundred forty two rods to another branch of same river ; thence same course seventy eight rods to a beaver pond ; thence same course one hundred twenty six rods to a yellow birch tree on the highlands which divide the waters that run south from those that run into the St. Lawrence, being the northern extremity of the line, and one hundred and twelve miles two hundred and thirty three rods from the head of Salmon Falls River. Found said tree marked on the east side "M. E. 1789" and on the west "N. H. N. E." also "M. 54." To these marks we added "N.H." "N. E." and "M.E." "1828." "E. H." "A. M. M." "1828," and stones were piled round the same and marked. The whole course of the line from the Androscoggin river was re-marked by spotting the old marked trees and crossing the spots and marking others in the course : And the line as above surveyed and described, we agree to be the true boundary line of said States. And the above described marks and monuments we establish to designate the same, and that the said line hereafter remain the boundary line between the States, unless the Legislature of either State shall, at the first session after the execution of this agreement, by Resolve disapprove of the same.

WILLIAM KING	}	Commissioners of Maine.
RUFUS M'INTIRE,		
ICHABOD BARTLETT,	}	Commissioners of New-Hampshire.
JOHN W. WEEKS.		

November 13, 1828.

STATE OF MAINE.

IN SENATE, February 25, 1829.

The joint select committee to whom was referred so much of the Governor's speech as relates to the boundary line between

Maine and New-Hampshire, together with the Report of the Commissioners appointed pursuant to a Resolve of this State, passed January 20th, 1827, providing for the survey and establishment of said line, and also a plan of that line, and the remonstrance of certain individuals against the acceptance of said report, have had the same under consideration and ask leave to **REPORT:**

That the above are all the papers which they have been able to obtain in relation to the subject committed to their consideration, they are not therefore apprized that the State of New-Hampshire has taken any order on the subject. Your committee are satisfied that the variation of the new from the old line is trifling, and not so great as to affect injuriously to any considerable extent individual interests. And entertaining the opinion that a clear definition of that line is of much more importance to the inhabitants in its vicinity than the acquisition or retention of a few square miles of land is to the State, your committee recommend the passage of the Resolve herewith submitted.

A. HOLBROOK, *Chairman.*

CHAP. 30.

Resolve relating to a Report of Commissioners establishing the Boundary Line between Maine and New-Hampshire.

Approved February 28, 1829.

RESOLVED, That the Governor be, and he hereby is requested to issue his Proclamation, making known to the citizens of this State the situation and course of the Boundary Line aforesaid, as ascertained and established by the Commissioners, appointed pursuant to a Resolve of this State, passed on the twentieth day of January, in the year of our Lord one thousand eight hundred and twenty seven, in conjunction with certain commissioners appointed by the State of New-Hampshire.

CHAP. 31.

Resolve making an appropriation for the late Warden of the State Prison, and for other purposes.

Approved March 3, 1829.

RESOLVED, That the Governor, with the advice of Council, is hereby authorized to draw his warrant on the Treasurer in favor of Daniel Rose, Esq. late Warden of the State Prison, for