

MAINE STATE LEGISLATURE

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RESOLVES

OF THE

TWELFTH LEGISLATURE

OF THE

STATE OF MAINE,

PASSED AT THE SESSION

WHICH COMMENCED ON THE FOURTH DAY OF JANUARY, AND ENDED ON
THE NINTH DAY OF MARCH, ONE THOUSAND EIGHT
HUNDRED AND THIRTY-TWO.

PUBLISHED AGREEABLY TO THE RESOLVE OF JUNE 28, 1820.

AUGUSTA:

I. BERRY & CO., PRINTERS TO THE STATE.

1832.

Chapter 118.

Resolve on the Pay Roll of the Senate.

Approved March 9, 1832.

Resolved, That there be paid to the several persons in the above Roll, the sums set against their names respectively, amounting to the sum of four thousand four hundred fifteen dollars and fifty cents.

To the Senate and House of Representatives:

I herewith transmit for your consideration, the Report of George W. Coffin and Daniel Rose, the Commissioners respectively appointed by the Commonwealth of Massachusetts, and by this State, for the purpose of agreeing upon a system, for the sale, disposition and management of the public lands belonging to the two States.

In order to carry into effect the proposed system, which seems well calculated to promote the objects intended, it is necessary that it should be approved by the Legislatures of the respective States.

SAMUEL E. SMITH.

COUNCIL CHAMBER, }
January 20, 1832. }

Chapter 119.

Resolve respecting the sale, disposition and management of the Public Lands belonging to the Commonwealth of Massachusetts and the State of Maine jointly, and of lands belonging to said States in severalty.

Approved March 9, 1832.

Whereas the Commissioners appointed by the respective Governments of Massachusetts and Maine for the purpose of agreeing upon a system for the sale, disposition, and management of the public lands have made Report of their agreement in the words following.

Now we, George W. Coffin, the Commissioner appointed on the part of the said Commonwealth, and Daniel Rose, the Commissioner appointed on the part of the State of Maine, pursuant to the authority vested in us, and in execution of the duties as-

signed to us in and by said Resolves, and our Commissions aforesaid, met at Augusta, in the said State of Maine, on Tuesday the seventeenth day of January, eighteen hundred and thirty two; and having considered the subject matter of our appointment, do agree, without any division of sentiment, to report the following system for the future disposition and management of the public lands, which we believe will advance the interests of both States, by rendering the lands intrinsically more valuable, and consequently more available to their funds; viz:—

That all that section of the State of Maine, which now remains undivided, being the joint property of both States, shall hereafter be placed under the care, supervision and management jointly of the Land Agents of both States, for the time being, with power and authority to cause the same to be explored, from time to time, as they may judge expedient; noting particularly the soil and growth, the situation of the rivers and streams, their capability of affording aids for transportation, and mill privileges, the situation and extent of the mountains and bogs, together with remarks upon the geology of the country, and such other information as can be obtained, indicative of the quality and value of the territory, that the relative qualities of the several sections may be better known and duly appreciated. And that said Agents be authorized and empowered, to dispose of the timber and grass, standing and growing on said territory, in such way and manner as they may consider will best promote the interests of the States; and to sell the land, in lots in such way and manner as will in their judgment be most conducive to the interest of both States, and best promote and expedite the settlement of the Country; and also to sell, in half, or whole townships, any part of said territory, when the wants of the public require them and can be disposed of to advantage; and so long as the same, or any part, remains unsold, to cause it to be protected from the depredations of trespassers, by an adequate supervision of the premises.

And that said Agents be further authorized and empowered to have a road surveyed and constructed, from the north line of the eighth range of townships north of the Waldo patent, in a northerly direction, over the most suitable land they can find for a road, between Moosehead and Chesuncook Lakes, towards the head waters of the Alagash river. And in all sales of land, contracts to be executed jointly by said Agents, on a credit not to exceed five annual payments, secured by notes payable with interest annually; the States to have a lien on all the timber cut on said lands, if any, as security for the payment of said notes; no timber however to be cut unless written permits are first obtained from said Agents. And when said notes are fully paid, and cancelled, said Contracts to have the full effect, and validity of a deed; and unless the notes are paid when due, the Contract to be null and void, and all payments which have been made, to be forfeited to the use of said States.

And one moiety of all sums of money, and securities, received for timber, or land, sold according to the foregoing provisions, after deducting the expenses for surveys, explorations, and other incidental charges, shall be placed in the hands of each Agent, for the benefit of their respective States, to be accounted for by each Agent, to the State or Commonwealth which he represents.

And whereas, a very considerable portion of the public lands in Maine, have already been divided, and set off in severalty to each State; and although a separate title, or fee simple is thereby assigned to each State, of the townships so set off, yet in fact, the interest in the territory at large, especially that part which lies north of the monument line, remains the same as before the division took place, and all measures that would have a tendency to facilitate the settlement, and enhance the value before the division was executed, are equally applicable now. The Agents aforesaid, are hereby authorized and empowered, to cause a particular exploration to be made, where the same may be necessary for their information and guidance, of such townships as were surveyed by order of the Commissioners, under the Act for the separation of Maine from Massachusetts; and also of the townships lying north, and west of Bingham's Kennebec purchase, and are now unsold, and which are soon likely to be in the market; and when they have obtained such information^e as will lead to a just estimate of the value of each township, to have them classed in from one to six classes; those that are of the first quality for timber, to be placed in class number one, and those in the next grade, in number two; and those of the first quality for settlement, in the third, and so on, to six classes; and that a minimum price be put upon each class, below which no township, which may hereafter be authorized by the Legislatures to be sold, shall be disposed of, viz: Class number one, at seventy-five cents; number two, at sixty cents; number three, at fifty cents; number four, at forty cents; number five, at thirty cents; and number six, at twenty cents an acre, after deducting the reservation of the public lots. And said Agents are hereby authorized, from time to time, as their information extends, to admit into the class to which they may belong, such townships as are now remote from the market, and which have not been previously classed; and also place such townships as may have been erroneously estimated at the first valuation, to the class to which they really belong; and transcripts of such valuation, certified by said Agents, shall be delivered to each Agent, that said Agents may proceed to dispose of them, for the benefit of the State which they severally represent, in such way and manner, as they would have done, had not this agreement been made; subject only to the obligation, of not selling at a less price per acre, than the minimum valuation fixed thereon as aforesaid. And such townships as are peculiarly suitable for settlement, when lotted for that pur-

pose, to be sold in lots, to such persons only, as intend, and will engage to settle and improve the same, to be fixed at the minimum value of fifty cents an acre.

And said Agents are hereby authorized, to continue the road that has already been commenced, from Mattawamkeag river to the Aroostook river, and also to remove such obstructions in the rivers and streams, and make such other improvements in the territory in general, as in their opinion will add facilities to a settlement of the Country, and provide an easy access to the territory in the interior. Provided, that the expense of such improvements does not exceed the amount of ten per centum, of the amount received for sales of timber, and land; And provided further, that the Executive of either State may suspend the authority of the Agent of that State, in the sale of land, timber, &c., until the meeting of the Legislature, and to the end of the Session thereof, unless in the mean time, the Legislature shall otherwise direct the Agent aforesaid. And each State shall be responsible for the fidelity of its own Agent, and shall be accountable to the other, for any pecuniary loss, by reason of the joint sales of the said Agents of any lands, which are not duly accounted for, and the proceeds thereof paid over by the Agent of either State receiving the same, in proportion one to the other.

In testimony whereof we, the said Commissioners, have to this instrument set our hands, this nineteenth day of January, in the year of our Lord one thousand eight hundred and thirty two.

GEO. W. COFFIN,
DANIEL ROSE.

Resolved, That the Legislature of Maine on their part, approve and ratify said agreement and authorize the Land Agent, for the time being, to carry the same into effect, so far as regards this State, *Provided*, said agreement shall be also ratified and approved by the Legislature of Massachusetts. And provided also that after the expiration of five years from the date of said agreement it shall be competent for the Legislature of either State to discontinue or annul said arrangement, unless both parties should then be satisfied to continue it for a further time.

Resolved, That the Governor be requested to transmit a copy of the foregoing preamble and resolution to the Executive of Massachusetts.