

MAINE STATE LEGISLATURE

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RESOLVES

OF THE

NINETEENTH LEGISLATURE

OF THE

STATE OF MAINE,

PASSED AT ITS SESSION

WHICH COMMENCED ON THE SECOND DAY OF JANUARY, AND ENDED ON
THE TWENTY-FIFTH DAY OF MARCH, ONE THOUSAND
EIGHT HUNDRED AND THIRTY-NINE.

PUBLISHED AGREEABLY TO THE RESOLVE OF JUNE 23, 1820.

AUGUSTA:
SMITH & ROBINSON, PRINTERS TO THE STATE.

1839.

sons paying to said Land Agent the residue of the whole purchase money remaining due on said mortgage; upon such terms, however, as that any other person interested in said lands, upon paying said assignees, within three years from the assignment, his just proportion, shall thereby discharge such proportion of said lands from the operation of the mortgage.

Chapter 113.

Resolve relating to trespassers upon the Public Lands.

Approved March 23, 1839.

RESOLVED, That the right of this State to exclusive jurisdiction over all that territory claimed by Great Britain which lies west of a due north line from the monument to the North West angle of Nova Scotia (usually denominated the "disputed territory") has been constant and indefeasible since her existence as an independent State; and no agreement which has been, or may be, entered into by the Government of the Union, can impair her prerogative to be the sole judge of the time when, and the manner in which, that right shall be enforced.

RESOLVED, That this State, in view of the measures recently adopted by the Government of the Union, in relation to this question, and particularly the provision made for a special minister to the Court of St. James; and actuated by an earnest desire to come to an amicable adjustment of the whole controversy, will forbear to enforce her jurisdiction in that part of her territory, the possession of which is now usurped by the Province of New Brunswick, so far as she can do so consistently with the maintenance of the Resolve of the twenty fourth of January last; but, that she has seen nothing, in recent events, to cause her to doubt that it is her imperative duty, as well as her unalienable right, to protect her public domain from depredation and plunder up to the extremest limits of her territory, and that no power on earth shall drive her from an act of jurisdiction, so proper in itself, and to which her honor is so irrevocably committed.

RESOLVED, That the public measures of the Governor

of this State in relation to the disputed territory meet the cordial approbation of this Legislature ; that they concur in the doctrines and sentiments contained in his recent message ; that they will sustain him in carrying into effect the Resolve of the twenty fourth of January aforesaid ; and that whenever he shall be fully satisfied, either by the declarations of the Lieutenant Governor of New Brunswick, or otherwise, that the latter has abandoned all intention of occupying the disputed territory with a military force, and of attempting the expulsion of our party—that, then, the exigency which called forth the militia having ceased, the Governor be, and he hereby is, authorized to withdraw the same, leaving the Land Agent with a sufficient *posse*, armed or unarmed, as the case may require, to carry said resolve into effect.

RESOLVED, That the entire practicability of running and marking our North Eastern Boundary line in strict conformity with the stipulations of the definitive treaty of peace of seventeen hundred and eighty three, *is beyond a doubt*, and that a crisis has arrived, when it becomes the duty of the General Government forthwith to propose, to the government of Great Britain a joint commission for the purpose of running the line in accordance with the treaty of seventeen hundred and eighty three—and in case of a refusal on the part of Great Britain, it is the duty of the United States to run the line upon her own authority, and to take possession of the whole disputed territory without unnecessary delay.

Chapter 114.

Resolve in favor of Rebecca G. McIntosh.

Approved March 23, 1839.

RESOLVED, That the Land Agent be, and he hereby is authorized and empowered to make and execute for and in the name of the State to Rebecca G. McIntosh of Exeter in the County of Penobscot a deed of release of all the right, title and interest, which said State has, or might have by means of escheat to the following described real estate situate in said Exeter, to wit—lot Number Two in the Tenth