

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)

ACTS AND RESOLVES

PASSED BY THE

THIRTY-FOURTH LEGISLATURE

OF THE

STATE OF MAINE,

1855.

Published by the Secretary of State, agreeably to Resolves of June 28, 1820, February 26, 1840, and March 16, 1842.

AUGUSTA:
STEVENS & BLAINE, PRINTERS TO THE STATE.

1855.

RESOLVES

OF THE

STATE OF MAINE.

1855.

to Shirley; and one hundred dollars in the town of Shirley, on a new road to be laid out in continuation of said road from Blanchard mills to Shirley mills, on the river; *provided*, in each case, the said towns raise and expend in each town the same amount, in a manner to be approved by the land agent.

CHAP. 247.

Proviso.

[Approved March 16, 1855.]

Chapter 247.

Resolve making an appropriation for the road across the Indian township in Washington county.

Resolved, That there be appropriated the sum of three hundred dollars, to be expended under the direction of the land agent, on the road across the Indian township, in Washington county.

Road across
Indian township,
Washington Co.,
in aid of.

[Approved March 16, 1855.]

STATE OF MAINE.

~~~~~  
COUNCIL CHAMBER, February 9, 1855.

*To the Senate and House of Representatives :*

I herewith lay before the legislature the report of Seth W. Smith, Esq., Passamaquoddy Indian agent, made in compliance with a resolve of the legislature of 1854.

ANSON P. MORRILL.

~~~~~  
To the Honorable Governor and Council :

In accordance with a "Resolve in relation to Passamaquoddy Indian lands," passed at the last session of the legislature, and approved April 17, 1854; having carefully examined the matter, I now submit the following

REPORT :

I can find no other conveyance of lands from Massachusetts to the Indians, except the original treaty, dated September 29, 1794, (a copy

CHAP. 248. of which may be found in the "Acts and resolves of 1843,") but not recorded with the deeds of the county of Washington until June 9, 1842.

Under this treaty, however, the Indians have always peaceably occupied all the lands therein mentioned, with but *two* exceptions: *First*, the 100 acres of land on "Nemcass Point," together with "*Pine Island*," lying to the westward of said point, both claimed by the owners of "Hinkley township," so called, (being township No. 3, first range;) and *secondly*, the Islands in the "*Schoodic river*," adjoining townships No. 6 and 7, claimed by the owners of said townships.

The commonwealth of Massachusetts, in their original grant to Samuel Hinkley, of township No. 3, first range, dated February 7, 1811, *reserved* Pine Island and the 100 acres above referred to. The Indians have occupied the Island for the last 30 years, and Nemcass point was for *many* years the site of an Indian village, (but now lying idle,) and there is *no* propriety in questioning the Indian title to *either*.

The only question of any importance, is in regard to the Islands mentioned in the "*Schoodic river*." The original grant from "Massachusetts to William Bingham," of townships No. 6 and 7, was dated January 28, 1793, and recorded September 12, 1794, (both transactions being prior to the Indian treaty,) and the present owners holding their title thus derived, *claim to the channel of said river*. If this is *correct*, townships 5, 6 and 7, being all "*bounded*" (as they are) "*on the river*" will cover all of the fifteen Islands in the Indian treaty. The Indians have occupied them *part* of the time, and the owners of said townships the rest, and there has long existed this question of title between them.

The fifteen Islands are worth two thousand dollars.

SETH W. SMITH,
Passamaquoddy Indian Agent.

CALAIS, January 30, 1855.

Chapter 248.

Resolve in relation to Passamaquoddy Indian lands.

Passamaquoddy
Indian lands,
governor and
council author-
ized to investigate
and settle title,
&c.

Resolved, That the governor and council be authorized and directed to investigate, defend and settle, in such manner as they may deem expedient, the question of title to the lands and islands granted to the Passamaquoddy tribe of Indians, by the state of Massachusetts by their treaty with said tribe, dated September twenty-ninth, seventeen hundred and ninety-four, and to claim and receive of said state, for the benefit of said tribe, an equitable compensation for any of such lands or islands as may prove not to have been legally conveyed to or placed in possession of said tribe, by

said state, according to the stipulations of said treaty. And the CHAP. 249.
governor is authorized to draw his warrant on the treasurer of state
for such sums as may be necessary to execute the purpose of this
resolve.

[Approved March 16, 1855.]

Chapter 249.

Resolve to correct the state valuation of the town of Belmont, and to establish that of
the town of Morrill.

Resolved, That the sum of sixty-two thousand six hundred and
eight dollars, for estate, and one hundred and twenty polls be de-
ducted from the valuation of the town of Belmont, and added to the
town of Morrill, so that the state valuation of Belmont shall stand
sixty-two thousand six hundred and seven dollars, for estate, and
one hundred and twenty-one polls; and the state valuation of Mor-
rill shall be sixty-two thousand six hundred and eight dollars, for
estate, and one hundred and twenty polls; and the treasurer of
state is required to correct the tax for the year eighteen hundred
and fifty-five, and each succeeding year until a new state valuation
is made, and issue his warrants accordingly.

Belmont and
Morrill, valuation
of, established.

[Approved March 16, 1855.]

Chapter 250.

Resolves in relation to the payment of the state debt.

Resolved, That the land agent be directed to collect from the
securities in the land office, the amount due on state scrip, in March,
eighteen hundred and fifty-six, being one hundred and thirty-two
thousand five hundred dollars, and pay over to the treasurer of the
state, from time to time, such amounts as he may receive therefrom.

State debt, in
relation to
payment of, &c.

Resolved, That the treasurer of state be directed to apply so
much of the said proceeds as may not be otherwise appropriated, to
the purchase of the scrip of the state, due in March, eighteen hun-
dred and fifty-six, as aforesaid, if such scrip can be obtained at par;
if not thus obtained, to the payment of the public debt, due as
aforesaid.

Treasurer to
purchase state
scrip.

[Approved March 16, 1855.]