

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

PASSED BY THE

THIRTY-FIFTH LEGISLATURE

OF THE

STATE OF MAINE,

A. D. 1856.

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Published by the Secretary of State, agreeably to Resolves of June 28, 1820, February 26, 1840,  
and March 16, 1842.  
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1856.

RESOLVES

OF THE

STATE OF MAINE.

1856.

Chapter 377.**CHAP. 377.**

Resolve in aid of road and bridge in Penobscot county.

Resolved, That the land agent be authorized to expend the sum of three hundred dollars, on that part of the road leading from Mattawankeag Point to Nickertow, in letter A, range six, in the county of Penobscot, as passes over the public lots. For building piers above the Mattawankeag bridge, to protect the same from damage from ice, the sum of two hundred dollars.

Road from
Mattawankeag
point to Nickertow, \$300.

Piers above
Mattawankeag
bridge, \$200.

[Approved April 9, 1856.]

Chapter 378.

Resolve in aid of road in the county of Aroostook.

Resolved, That the land agent be authorized to expend the sum of two hundred dollars on the Houlton and Baring road, in township eleven, range one, in the county of Aroostook.

Houlton and
Baring road,
\$200.

[Approved April 9, 1856.]

Chapter 379.

Resolve fixing the salary of the adjutant general.

Resolved, That the salary of the adjutant general be hereafter five hundred dollars per annum, instead of the sum now fixed by law.

Adjutant gen-
eral, salary of
\$500.

[Approved April 9, 1856.]

STATE OF MAINE.

The committee on education, to whom was referred an order directing that committee to consider and report to the legislature what measures are required to carry into effect the provisions of a resolve, approved August 24, 1850, directing the land agent, under the direction of the governor and council, to set apart twenty-four half townships of the public lands, for the benefit of common schools, have had that subject under consideration, and ask leave to

REPORT:

That they have ascertained from the report of the governor upon the same subject, made to the last legislature, as well as from infor-

CHAP. 380.

mation communicated to the committee by the land agent, that nothing has been done either by the governor and council, or by the land agent, to carry out the intent of said resolve, and thereby secure to our common schools the fruits of the state's beneficence, in the "*material aid*" which it contemplated giving.

When we consider the importance of our common schools to the present and future welfare of the state, and fully appreciate the trite but lightly considered truth, that these schools are the very *seed plots* of all our virtues, our prosperity and happiness, as a free, self-governing people, it is to be regretted that there should be found any want of interest on the part of public officers, to provide that our common schools shall enjoy the full measure of public bounty, which the state has liberally granted and entrusted to their care and direction for its proper application.

In considering what further legislation is necessary, to secure to the common schools the intended benefit of the resolve, the committee have been of the opinion that the cause of the *neglect* for so long a time, to act under the resolve, by those charged with that duty, consists chiefly in *the resolve being* so framed as to allow the construction to be placed upon it, that it was left to the discretion of the governor and council whether any action under the resolve should be had or not. In the exercise of such supposed discretion, the governor and council have not seen fit to take any steps in carrying out the purpose of the resolve. It may well be doubted whether in so doing they have not omitted the performance of a duty, rather than exercised a discretion merely.

Since the passage of the resolve, many of the most valuable lands of the state have been sold, and it is probably now too late to obtain the full benefit of the resolve, which might at an earlier time have been secured; yet at this time, the state has *millions of acres*, with the management of which it appears to be *sorely perplexed*, a portion of which may wisely be applied to the use and support of our Common Schools, in the manner indicated in the resolve.

To provide against neglect in future, of the provisions of this resolve, and to secure its benefit to the schools, so far as can now be done, it has appeared to your committee necessary to provide simply, that it shall be the duty of the Governor and Council, and of the Land Agent, and that they be positively directed, to act under the resolve, and see that the land is set apart and disposed of as therein contemplated, and report their doings to the next Legislature.

In accordance with this view of the matter, your committee ask leave to introduce a resolve, which is herewith submitted.

J. M. GOODWIN, *Chairman.*

Chapter 380.

CHAP. 380.

Resolve for carrying into effect a resolve for a permanent school fund, approved August twenty-fourth, eighteen hundred and fifty.

Resolved, That the land agent, under the advice and direction of the governor and council, be, and he hereby is directed and authorized to set apart and reserve a quantity of the public lands, equal in quantity to twenty-four half townships, and in value to the average of the public lands, and make a record of such reservation, and report his doings under this resolve to the next legislature, on or before the tenth day of January next; said lands, so set apart and reserved, to be reserved and applied for the benefit of common schools, and be held in trust for that purpose only. And said land agent, acting under the advice and direction of the governor and council, may sell for cash or on approved security, not more than one of said townships, annually, whenever hereafter so ordered by the legislature, and pay over the proceeds of such sale, when made, to treasurer of the state. And that said proceeds be and hereby are appropriated as a permanent fund for the benefit of common schools, the interest of which fund to be paid over annually for their use, in the same manner as the interest on the school fund is now paid.

Land agent authorized to set apart twenty-four half townships of the public lands for the benefit of common schools.

—may sell, when ordered by legislature, one township annually.

Proceeds to be paid over to treasurer of state.

—how applied.

Resolved, That the governor and council be and hereby are directed to advise and direct the land agent in selecting and setting apart the land aforesaid, as contemplated in the foregoing resolve, as soon hereafter as practicable, and report their doings to the next legislature, on or before the tenth day of January next.

Governor and council are directed to advise the land agent in selecting and setting apart said townships. —to report to next legislature.

[Approved April 9, 1856.]

Chapter 381.

Resolve in favor of Isaiah Felker.

Resolved, That there be paid out of the treasury of the state to Isaiah Felker, two hundred and thirty-two dollars and fifty-five cents, it being for expenses incurred by him on account of sickness while attending as a member of the house the present session.

Allowance for sickness.

[Approved April 9, 1856.]