

MAINE STATE LEGISLATURE

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DOCUMENTS

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THE LEGISLATURE

OF THE

STATE OF MAINE,

A. D. 1859.



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1859.

THIRTY-EIGHTH LEGISLATURE.

HOUSE.]

[No. 39.

STATE OF MAINE.

IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED AND FIFTY-NINE.

AN ACT to aid the Aroostook Railroad Company, increase the value and promote the sale and settlement of the public lands.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

A.

Amend, by striking out all after the enacting clause, and inserting as follows :

SECTION 1. All the public lands shall hereafter be
2 managed and sold, under the direction of the Govern-
3 nor, Council, State Treasurer and the Land Agent, for
4 the time being, and they are hereby constituted a board
5 for that purpose ; and the Governor, State Treasurer
6 and the Land Agent, in the absence of the Council,
7 shall constitute a quorum for the transaction of the

8 business hereby confided to them. Said board shall,
9 from time to time, cause such lands to be surveyed
10 into lots, of one hundred and sixty acres each, and
11 cause the character of each lot to be noted on the plan
12 or plans of such survey, to be retained in the Land
13 office. And the board shall cause a minimum price,
14 not exceeding one dollar an acre, to be noted on each
15 lot. The Land Agent may thereupon, under their
16 direction, sell and convey such lots, or parts of lots, at
17 that price, or at a higher price, not however exceeding
18 in any case, more than one dollar an acre, nor shall
19 more than one hundred and sixty acres be sold and
20 conveyed to any one person. And every purchaser
21 beside the payment of one dollar per acre shall be
22 required within two years from the date of his pur-
23 chase to establish his residence on his lot, and within
24 four years from such date to clear on each lot not less
25 than fifteen acres, ten of which shall be laid down to
26 grass, and to build a comfortable dwelling-house on
27 it, and if the purchaser fails to perform any of the
28 foregoing duties required of him, he forfeits all right
29 to the land, and it may be sold to another person.
30 And timber lands may be sold for a price exceeding
31 one dollar per acre. Upon every such sale, one-fourth
32 part of the consideration shall be paid in cash, upon
33 the delivery of the deed, and the remainder, in equal

34 payments, in one, two and three years, with interest,
35 and each deed shall be conditioned for the security of
36 these payments on time. Nothing however expressed
37 in this act shall have the effect to preclude the Land
38 Agent from selling and conveying lots to such persons
39 as have applied for them, and have designated the
40 lots, in their respective applications, under the law, as
41 it existed, at the time, when their several applications
42 may have been made. The board, hereby constitut-
43 ed, shall make return of their doings to each regular
44 session of the Legislature.

SECT. 2. Lands set apart and designated, under the
2 direction of the Land Agent, for schools, and such as
3 have been designated as soldier's lands, all lands, which
4 the Land Agent is authorized to convey to literary
5 institutions, and four townships of said land, situated,
6 one in Oxford county, one in Franklin county, one in
7 Somerset county, and one in Piscataquis county, to be
8 selected under the direction of the board named in the
9 first section of this act, the proceeds of sales of which
10 are to be expended in the several counties in which
11 they are situated for roads, and lands, which may be
12 selected by persons in exchange for other lands, under
13 the authority of the State, and lands heretofore con-
14 veyed by the State, by conditional deeds, on which the
15 State may hereafter receive the purchase money, are not

16 to be affected by the provisions of this act. But the
17 proceeds of the sales of the other public lands, includ-
18 ing those, which may be received or obtained by way
18 of exchange, or so much thereof as may be necessary,
20 are hereby appropriated and set apart for the follow-
21 ing purposes, namely: a sum, not exceeding ten thous-
22 and dollars, is to be reserved and expended, in com-
23 pleting the Fish river State road, extending from the
24 Aroostook river to Fort Kent, but not more than two
25 thousand dollars of this appropriation is to be ex-
26 pended in any one year. And a sum, not exceeding
27 twelve hundred dollars, of which not more than five
28 hundred dollars is to be expended in any one year, is
29 to be reserved and appropriated for completing the
30 Violet brook State road. Said expenditures to be
31 made from time to time, as the Legislature may direct.
32 All the residue of the proceeds of said sales are hereby
33 granted and appropriated, under the conditions and
34 limitations, hereinafter expressed, to aid the Aroostook
35 Railroad Company, incorporated by an act, approved
36 March 27th, A. D. 1858, in constructing their rail-
37 road, extending from a point at or near Mattawam-
38 keag village, or from any point between Milford and
39 Mattawamkeag, in an easterly direction to the easter-
40 ly boundary of the State, where it may be most con-
41 venient for a connection with a railroad, from the city

42 of St. John, in the Province of New Brunswick, to the
43 said boundary. Also to aid in constructing a branch
44 railroad to Houlton, or a distance of twenty-five miles,
45 from any point in their railroad, in the direction of
46 the State lands, in the county of Aroostook; the point
47 of departure to be determined by said company, with
48 the approval of the board, named in the first section
49 of this act. And said railroad, from Milford to Mat-
50 tawamkeag and to the boundary, and said branch
51 shall be considered to be the railroad, authorized by
52 the act of incorporation of said company.

SECT. 3. The grant made by the State to the Aroos-
2 took Railroad Company, of the proceeds of the sales
3 of the public lands, as provided in this act, to aid said
4 company in constructing and completing that part of
5 their railroad extending from a point at or near Mat-
6 tawamkeag village, or from any point between Matta-
7 wamkeag and Milford, and extending in an easterly
8 direction to the easterly boundary of the State, and
9 the branch railroad extending as described in the
10 preceding section, is made in consideration of, and on
11 the express condition, that said Aroostook Railroad
12 Company shall have commenced constructing that
13 part of their railroad extending from Milford to Mat-
14 tawamkeag, on or before the first of September, 1860,
15 and shall have completed the same in all its parts,

16 with the necessary furniture and equipments, and put
17 it in running order the whole distance from said Mil-
18 ford to Mattawamkeag within three years thereafter.
19 And on the further condition that the part of their
20 railroad extending from the Milford and Mattawam-
21 keag section of it to the eastern boundary of the State,
22 and the branch towards the State lands shall be com-
23 menced as soon after the completion of that section
24 of their railroad, extending from Milford to Matta-
25 wamkeag, as there is a sufficient sum of money in the
26 treasury received from the proceeds of the sales of
27 lands appropriated for this purpose to warrant such
28 commencement, and when said company shall have
29 completed ten miles of it, the board, named in the first
30 section of this act, shall then determine what is in
31 their judgment a fair proportion of the whole appro-
32 priation for ten miles, and said company shall be then
33 entitled to that amount, and the governor is hereby
34 authorized to draw his warrant for the same in favor
35 of said company, if there be so much of the funds
36 hereby appropriated in the treasury, and if not, for so
37 much of it as there may be on hand, and the balance
38 as soon as it shall be received, as hereinbefore pro-
39 vided, by the treasurer. And when an additional
40 ten miles of said road shall have been constructed, the
41 amount to be paid to said company shall be ascer-

42 tained in like manner, and payment made from the
43 treasury as aforesaid. And like proceedings shall be
44 had as each succeeding ten miles shall have been com-
45 pleted until said roads are completed and the whole
46 appropriation expended.

SECT. 4. All expenditures by the land office relative
2 to and on account of the lands, the proceeds of the
3 sales of which are appropriated by this act, including
4 salaries of officers, are to be paid annually out of the
5 proceeds of the sales of said lands.

SECT. 5. All acts, requiring settling duties of the
2 purchasers of settling lands, and all acts and parts of
3 acts inconsistent with the provisions of this act, are
4 hereby repealed.

SECT. 6. No appropriation of the proceeds of the
2 public lands shall be made to aid in building a rail-
3 road from Milford to a point at or near Mattawam-
4 keag Point.

5 This act shall take effect from and after its approval
6 by the Governor.

STATE OF MAINE.

HOUSE OF REPRESENTATIVES, March 25, 1859.

ORDERED, That 1,000 copies of the foregoing amendment as amended, be printed for the use of the Legislature.

GEO. W. WILCOX, *Clerk.*