

MAINE STATE LEGISLATURE

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DOCUMENTS

PRINTED BY ORDER OF

THE LEGISLATURE

OF THE

STATE OF MAINE.

1861.



AUGUSTA:
STEVENS & SAYWARD, PRINTERS TO THE STATE.
1861.

FORTIETH LEGISLATURE.

HOUSE.

No. 53.

To the House of Representatives:

I herewith transmit to the House of Representatives, copies of all the acts and resolves of the Legislature, relating to the appointment of a Commissioner (or agent) to prosecute the claims of the State of Maine against the General Government, bearing upon the question submitted to me by the order of the House, passed February 26, 1861, of which I have any knowledge; also copies of the proceedings of the Governor and Council upon the same subject.

In addition to what appears in the copies of record, herewith communicated, it is due to a full statement of the facts to say, that I am advised that at an informal meeting of the Council on the 23d of November, 1860, a majority of the Council present supported and voted for an order which was to the effect that the vote of the 14th of March, 1860, consenting to the removal of George M. Weston from the office of Commissioner at Washington under the resolve of 1855, be reconsidered.

No vote upon this order was taken, as I am informed, at any regular meeting of the Council, or when the Governor was present; and there is no record of any action thereon.

There has been no action by the Governor or Council for the current year, upon this subject.

I have been informed, and believe it to be true, that Mr. Weston is now acting, or claiming to act at Washington, as agent of the State to prosecute its claims against the United States. He has no other authority to do so than is derived from the proceedings of the Legislature and of the Governor and Council already referred to.

The claims of this State against the United States, so far as I

am informed, are as follows: For interest on the Massachusetts war debt—the principal having already been paid. It is impossible for me to say what this claim will amount to, if finally allowed, as the time from which the interest will be computed is uncertain.

Another claim is for lands set off to settler's under the fourth article of the Treaty of Washington and for all expenses incurred by the State in setting off said lands. The value of this claim is uncertain, for while the number of acres set off to the settlers under the Treaty may be readily ascertained by reference to the Reports of the Commissioners, I know of no *data* upon which to predicate an opinion as to the amount per acre that Congress would be disposed to allow for the land in the event of its recognition of the claim as valid and just.

There is also a claim for loss or spoliation of timber on the disputed territory, previous to the Treaty of Washington; but I have no means within my reach at this time of giving even an approximate estimate of its probable amount.

In addition to the foregoing, I have understood that the expenses of the extra session of the Legislature of 1842 are regarded as a fair and proper subject of claim against the United States.

I have no recollection or information of any other claim of this State against the General Government, although there may be others.

ISRAEL WASHBURN, JR.

EXECUTIVE DEPARTMENT,
Council Chamber, March 1, 1861. }

Resolve authorizing the appointment of a commissioner to settle certain claims against the government of the United States.

Resolved, That the governor, by and with the advice of the council, be and hereby is authorized to appoint a commissioner, whose duty it shall be, under the direction of the governor and council, to examine, prosecute and settle all claims which the state may have upon the government of the United States for lands set off to settlers under the fourth article of the treaty of Washington, and for all expenses incurred by this state in setting off said lands.

[Approved March 17, 1855.]

Resolve in favor of the commissioners at Washington.

Resolved, That the governor and council are authorized to audit and settle the account of commissioners at Washington appointed under a resolve of the legislature approved March seventeen, eighteen hundred fifty-five, at a compensation not exceeding eight dollars a day and necessary travelling expenses; but this resolve shall not authorize the governor and council to pay more than one commissioner for services at the same time; and said commissioner shall be charged with the prosecution of all the claims of this state against the United States.

[Approved April 14, 1857.]

Resolve relating to the compensation of the commissioner at Washington.

Resolved, That the governor, with advice of council, be authorized to establish by commission or otherwise, the compensation of the commissioner at Washington appointed under resolve approved March seventeen, eighteen hundred and fifty-five, but no compensation shall be allowed the commissioner unless it be taken from the allowances made by the general government on claims prosecuted by him; and all resolves inconsistent with this resolve are hereby repealed.

[Approved March 26, 1858.]

IN COUNCIL, January 22, 1857.

In compliance with the provisions of a resolve entitled "Resolve authorizing the appointment of a commissioner to settle certain claims against the government of the United States," approved on the seventeenth day of March, in the year of our Lord one thousand eight hundred and fifty-five, George M. Weston of Bangor, in the county of Penobscot, Esquire, was by the governor, with the advice of the council, appointed Commissioner to examine, prosecute and settle, under the direction of the governor and council, all claims which the state may have upon the government of the United States, for lands set off to settlers under the fourth article of the treaty of Washington, and for all expenses incurred by this state in setting off said lands.

To the Executive Council:

I ask your consent to the removal of Geo. M. Weston, Esq., Commissioner at Washington under resolves of 1855.

LOT M. MORRILL.

COUNCIL CHAMBER, March 14, 1860.

STATE OF MAINE.

IN COUNCIL, March 14, 1860.

The Committee of the whole Council, to which was referred the communication of the Governor, asking the consent of the Council to remove George M. Weston, Commissioner on Claims at Washington, Report: That we have had the subject under consideration and unanimously concur in the removal of the said George M. Weston from the office of Commissioner on Claims at Washington.

Which is respectfully submitted.

GEORGE THORNDIKE, *Chairman.*

OFFICE OF SECRETARY OF STATE, {
Augusta, Feb. 26, 1861. }

I hereby certify, that the foregoing is a true copy of the original as deposited in this office.

JOSEPH B. HALL, *Secretary of State.*

STATE OF MAINE.

HOUSE OF REPRESENTATIVES, }
March 2, 1861. }

On motion of Mr. GOULD of Thomaston, laid on the table and
350 copies ordered to be printed for the use of the Legislature.

CHARLES A. MILLER, *Clerk.*