

*Journal*  
*of the*  
*Secret Session.*

*January 23. 1839.*

# Journal of the Secret Session.

Wednesday, January 23. 1839.

On motion by Mr. Phelps of Taileville the oath of secrecy was administered to the Messenger by Mr. Vose of Augusta.

The following confidential communication from the Governor, was read, together with the accompanying Documents.

To the Senate and  
House of Representatives.

On the 14th of December, 1838, the Land Agents of Massachusetts and of this State appointed George W. Bucknam to proceed to the Aroostook and Fish Rivers, for the purpose of preventing, as far as he was able, any trespassing upon the Public Land. Mr. Bucknam has just returned from those places and made report, which has been communicated to the Governor and Council, and is herewith laid before you for your consideration. By this report it appears that a large number of men, many of them, I am informed, from the British Provinces are trespassing very extensively upon the Lands belonging to this State; that they not only refuse to desist, but defy the power of the Government to prevent their cutting timber to any extent they please. Upon the Grand river it is estimated that there are from forty to fifty men at work. on the Green river from twenty to thirty. On Fish River from fifty to seventy-five men, with sixteen yoke of oxen, and ten pair of horses, and more daily expected to go in. On Town-ship, letter H, ten men, six oxen and one pair of horses. On the Little Madawaska, seventy-five men, with two.

by yoke of oxen and ten horses. At the Arrowstock Falls, fifteen men, with six yoke of oxen. The quantity of timber which these miscreants will cut the present winter is estimated in value, by the Land Agent at one hundred thousand dollars.

These facts, it seems to me present a case in which not merely the property, but the character of the State is clearly involved. The supremacy of Law as well as the sanctity of right cannot thus be contemned and set at naught with impunity without impairing the general authority of the Government and inviting renewed aggressions on the part of daring and lawless men. Conduct so outrageous and high handed as that exhibited by these reckless depredators, upon the Public Property, calls for the most prompt and vigorous action of the Government. Under the circumstances therefore I would recommend that the Land Agent be instructed forthwith to proceed to the place of operation on the Arrowstock, and also upon Fish river if practicable, with a sufficient number of men suitably equipped, to seize the teams and provisions, break up the camps, and disperse those who are engaged in this work of devastation and pillage. The number suggested by the Land Agent as sufficient for this purpose is fifty. This estimate is probably too small. The Land Agent, under the Law of 1831, may perhaps be invested with sufficient authority for this purpose. But, considering that it would be an extraordinary measure, and would involve considerable expense, for which there should be an appropriation, it was deemed best to ask the sanction of the Legislature. It is not to be supposed that the Provincial Government wink at these lawless proceedings on the part of its citizens. On the contrary, we are bound to believe that it would be as willing as this Government, to have them arrested. Be it as it may, we are bound by every consideration of duty to ourselves and to those who have confided

477. their interests to our care, to take some strong, decisive and efficient measures in a case of so flagrant a character. Nothing else will save our beautiful and valuable forests from destruction and plunder.

I have deemed it expedient to make this communication to you confidentially, under the impression, that if your proceedings should be communicated to the trespassers before the Land Agent was prepared to go in, they would combine their forces and render any attempts to treat them up more difficult, if not more dangerous.

John Fairfield.

Council Chamber.

January 23. 1839.

Mr. Delabre of Sableville, on leave of the House, laid on the table the following Resolutions.

"Resolutions relating to trespassers on the Public Lands."

On motion by Mr. Sheldon of Gardiner.

The Clerk in the Resolutions was filled with ten thousand dollars."

The Rules and Orders having been dispensed with, the Resolutions were read twice and passed to be engrossed.

On motion,

The Secret Session was closed.

Afternoon.

The oath of secrecy was administered to the Assistant Clerk by Mr. Voe.

The House reconsidered its vote passing to be engrossed.



the "Resolve relating to Ties papers upon the Public Lands" and dispensed with the same. And the question of

Finally Passing

the Resolve, having ordered to be taken by Yeas and Nays, was unanimously decided in the Affirmative, Yeas 174.

York

William C. Allen  
 Charles C. Bartlett  
 Gilman L. Bennett  
 Asa Brackett  
 Abner Burbank  
 Joseph Dane  
 Isaac Daring  
 Benjamin Dudley  
 William Fop  
 Daniel Frisbe  
 Nathaniel Hanson B.  
 Ald Hersey  
 William Hight  
 Increase L. Kimball  
 George S. Ladd  
 Harrison Lowell  
 William Mc. Intire  
 Samuel Mildram  
 Nathaniel J. Miller  
 John T. Paine  
 James Perkins  
 Samuel Trafton  
 Daniel Tyler  
 Stephen Weller  
 Cumberland.  
 James Appleton  
 Hanson Blake  
 Osgeed Bradbury  
 Calvin Bridgham  
 Ezra T. Dulckenam.

William Duxton  
 Oliver S. Donance  
 Reuel Drinkwater  
 Samuel Dyer  
 Thomas Estes  
 James Fard  
 Washington Garcelon  
 James Harding  
 Sylvanus Higgins  
 Hosea Hoby  
 Sylvanus H. Lyman  
 John Megginn  
 Daniel Moulton Sr.  
 Nathan Nye  
 Elijah P. Pike  
 Edgent Shaw  
 John Small Sr.  
 Dennis Soule  
 Samuel Stinchfield  
 Moses Styles  
 Moody F. Walker  
 Peter Adams  
 Joseph Terry  
 William Bradford  
 Nathaniel Carlton  
 John Chase  
 Isaac Elder  
 Jason Fuller  
 Philip M. Garcelon  
 David Gilpatrick  
 Joel Gray  
 Nathaniel Green  
 Joseph Hewitt  
 David Huston  
 Ambrose Larnend  
 Alwood Lovensaler  
 Thomas M. Lewis.

Lincoln.

Wancock

Samuel Lowell  
John McLean  
Parker Neal  
Ebenzer Otis  
George F. Patton  
George Sprout  
Richard Wade  
Thaddeus Weeks  
Simon Allen  
Henry Emerson  
Ebenzer L. Higgins  
David C. Horner  
Jeremiah Jordan  
John D. Richards  
William Salter  
William W. Thom  
Ira Witham

Washington

Isaac Porter  
Lucius Stoddard  
William Tilden  
Schubert Tarnsworth  
Samuel Fowler  
Isaac Wells

Worcester

Micha J. Talbot  
Kendal Whidden  
Henry Dearlan  
Coddington Drake  
Ezekiel Holmes  
Solomon Lathrop  
W. D. S. Moore  
George W. Newton  
William Mosher  
John Neal  
Otis Travis  
John Otis  
Elisha Prescott  
Parker Sheldon

Asa Smiley  
 John Stevens  
 Ephraim Tilletts Jr.  
 Amos Stickney  
 Uriah H. Tignor  
 Richard H. Tose  
 Matthias Weeks  
 Thomas Whitlier

Oxford

Charles Andrews  
 Daniel Chase  
 William Cobb, Jr.  
 Moses Colburn Jr.  
 Joseph G. Cole  
 Phineas Frost  
 Cyrus Ingalls  
 Willard Kelcey  
 John Kimball  
 Moses Fatter  
 Lyman Pearson  
 Nathaniel C. Rogersen  
 Elliot Smith  
 Isaac A. Stanley  
 John Walker, Jr.

Dorchester

Cyrus Southby  
 Pelz Bradford  
 Benjamin Daggett  
 Thomas Dinsmore  
 Harris Garsten  
 John Hoyt  
 Samuel Hutchins  
 William Howell  
 Sepe Savage  
 Cyrus Wellington  
 Asa A. Wyman

Dorchester

Eliza H. Allen  
 Ebenezer Pickford  
 Samuel Chesley

Charles C. Cushman  
 Edwin W. Fudge  
 Hannibal Hamlin  
 Robert Hancy  
 Imas Mason  
 Benj. Merrill  
 Amasa Peterson  
 Jacob W. Thinchfield  
 William Thompson  
 Joseph True Sr.  
 John Bryant  
 Joshua F. Elliot  
 Dexter Farrar  
 Josiah Grant  
 William Harkness  
 Nathan Ide  
 Benjamin Marden Jr.  
 James M. Cullis  
 Henry Moserney  
 Uriah Miller  
 George W. Webster  
 Isaac Woodman.  
 Joseph Crocker  
 John Fess  
 John S. Loring  
 Ephraim Packard  
 Philander Suttler  
 Edsel Grover  
 Daniel Howes  
 Francis Lawrence  
 Melvin V. Loach  
 Francis Meader  
 Samuel S. Norton  
 Joshua South.

Waldo

Piscataquis

Franklin.

On motion by Mr. Pillsbury.  
 The Message and the Documents accompanying



the same, were referred to the Committee on the North Eastern Boundary.

On motion by same,

The Clerk was directed to communicate to the Senate the Resolve and the Message of the Governor with the Document accompanying the same, confidentially.

The Secret Session then closed.

Attest,

Geo Robinson,  
Clerk.

For removing the injunction of Secrecy, see Order of the House passed Feb 12. 1837.

I hereby certify that the foregoing is  
a true record of the proceedings of the House  
of Representatives, made up from the minutes  
taken by Charles Waterhouse, late Clerk, and  
by me, and from the papers on file.

Geo Robinson, Clerk.