

MAINE STATE LEGISLATURE

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THE
REVISED STATUTES

OF THE
STATE OF MAINE,

PASSED JANUARY 25, 1871;

TO WHICH ARE PREFIXED
THE CONSTITUTIONS

OF THE
UNITED STATES AND OF THE STATE OF MAINE:

WITH AN APPENDIX.

BY AUTHORITY OF THE LEGISLATURE.



PORTLAND:
PUBLISHED BY BAILEY & NOYES.

CHAPTER 5.**LANDS. THEIR SALE AND SETTLEMENT. LAND AGENT. LOCATION AND CARE OF LOTS FOR PUBLIC USES.**

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Land agent's
bond, duties
and restric-
tions.
R. S. c. 5 § 1.

SEC. 1. The land agent shall give a bond to the state in the sum of fifty thousand dollars, with sufficient sureties to the satisfaction of the governor and council, for the faithful performance of the duties of his office. He shall superintend and manage the sale and settlement of the public lands of the state. He shall not, when appointed or during his continuance in office, be directly or indirectly concerned

in the lumber business on the state lands, or in the purchase of the public lands, or of any timber or grass growing or cut thereon. CHAP. 5.

SEC. 2. He shall receive all moneys and securities accruing to the state from the sale of lands, timber, and grass, or in payment for timber or grass cut by trespassers, and pay over to the treasurer of state all moneys so received and found due from him on settlement. All securities shall be made payable to the treasurer of state. He shall personally attend to the duties of his office, as far as practicable, and no commissions shall be allowed him for his disbursements or collections, and no sum shall be allowed him for traveling expenses from his home to land office, or from one land office to the other, unless on official business, nor for transportation of records of office, unless money shall be paid out specifically therefor. All persons employed by him shall be sworn to the faithful discharge of their duties, and shall not be concerned directly or indirectly, in the purchase of lands, or of timber or grass on lands belonging to the state. The number of clerks to be employed by him, shall be determined by the governor and council, who shall fix their compensation.

Shall receive moneys arising from land and attend personally to duties of office.
R. S. c. 5, § 2.

No commissions allowed.

Actual traveling expenses paid.
1869, c. 167, § 1.

Number of clerks and their compensation.
Resolve 1869, c. 52.

SEC. 3. He shall execute deeds, in behalf of the state, conveying lands, which have been granted by the legislature or sold by lawful authority, as soon as the grantees have complied with the conditions of their respective grants; collect all sums due to the state by note or from any source mentioned in this chapter; collect the interest on all notes at least annually, and pay, at the expiration of every month, into the state treasury, all moneys so collected or received by him.

Execute deeds, collect notes and sums due and pay same monthly into state treasury.
R. S., c. 5, § 3.

SEC. 4. All the public lands, where not otherwise specially provided, shall be managed and sold under the direction of the governor, council, state treasurer and the land agent, for the time being; and they are constituted a board for that purpose, and shall make return of their doings to each regular session of the legislature; and the governor, state treasurer and land agent, in the absence of the council shall constitute a quorum for the transaction of the business hereby confided to them. Said board shall, from time to time, cause all lands suitable for settlement, to be surveyed into lots of one hundred and sixty acres each, and cause a minimum price to be noted on each lot. An accurate plan or map of all lands surveyed shall be returned to the land office, and entered upon the plan books, within three months after the survey is completed, on which shall be laid down all lakes, ponds, rivers, streams, falls, mill sites, and roads. The field notes of such surveys shall contain a description of the growth, soil, and general character of the township, and of every lot, if it is surveyed into lots, which shall be deposited in the land office within three months. The said plans and field notes shall be kept at the offices in Augusta and Bangor, open for inspection at all times, when the land agent or his assistant is in either of said offices; and he shall aid in

Board for managing public lands.
1859, c. 119, § 1.
R. S. c. 5, § 4.

Quorum.

Governor and council and land agent, a board to direct surveys.

Settling lands, how surveyed.

Price to be fixed.

Surveys, how made.

Maps and field notes.

Plans to be open to public inspection.

CHAP. 5. furnishing information about the public lands to all persons, who seek for it at his office.

Unlocated grants of land to be located by governor and council. 1863, c. 171.

SEC. 5. All lands donated by the state to institutions or individuals, shall be located under the advice and approval of the governor and council, and such approval shall be certified to the land office by the secretary of state and there recorded.

Surveyors to explore and enter in field notes, timber, &c. Field notes to be deposited in land office. R. S. c. 5, § 5.

SEC. 6. Every surveyor, in surveying the public lands, shall explore each lot carefully, and enter in his field notes, the quantity and quality of pine, spruce, and other valuable timber thereon, and all other useful information within his knowledge relating to the value of the land. He shall deposit duplicate plans of his surveys and his field notes in the land office, within sixty days after the completion of his surveys.

Trespasses, prosecutions for them. R. S. c. 5, § 6.

SEC. 7. If any person unlawfully enters and trespasses upon the public lands of the state, or upon any of the lands reserved for public uses, while under the care of the agent, and cuts down, takes, or carries away, any trees or grass standing or being upon said lands, he and all persons who furnish teams, implements, apparatus, or supplies of provisions, or of other articles, used in committing and carrying on such trespasses, are trespassers, and shall be jointly and severally liable in damages for the trespasses so committed, and may be sued therefor in any county in the state. All such teams, implements, apparatus, and supplies, shall be forfeited to the use of the state. The measure of damages shall be the highest price which such timber, logs, or other lumber, or hay would bring at the usual place of sale thereof. Nothing in this section shall affect the right of the state to seize and sell any timber, logs, lumber, or hay, cut as aforesaid. At such sale no person, who was in any way concerned in committing such trespass, or in supplying or aiding those who committed them, shall be allowed to become purchasers directly or indirectly.

Teams and supplies forfeited, measure of damages. 45 Me. 67. 49 Me. 388.

Rule of damages when suit for benefit of an individual. R. S. c. 5, § 7.

SEC. 8. When an action for such trespass is prosecuted in the name of the state for the benefit of an individual, the principles of decision and the measure of damages shall be the same as are applicable to like actions between individuals.

LANDS RESERVED FOR PUBLIC USES.

Reservation of 1,000 acres for public uses; may be located by agreement. R. S. c. 5, § 8. 26 Me. 202. 30 Me. 370.

SEC. 9. In every township there shall be reserved one thousand acres of land, and at the same rate in all tracts less than a township, for the exclusive benefit of such town or tract, as the legislature directs, to average in quality, situation, and value as to timber, with the other lands therein. In townships or tracts, sold and not incorporated or organized into plantations, the lands reserved for public uses may be selected and located by the land agent and the proprietors, by a written agreement, describing them by metes and bounds,

[See Articles of Separation, condition 7.]

signed by them, and recorded in the land office. The plan or outline of the lands so selected shall be entered on the plan of the township or tract in the land office, which shall be a sufficient location thereof.

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SEC. 10. When the land agent and proprietors of such township or tract cannot agree on such location, if the right to cut the timber and grass thereon until the town is incorporated, or organized as a plantation, has not been legally sold, the land agent may petition the supreme judicial court for the appointment of commissioners to make the location in the manner hereinafter provided. The petition may be filed, and the proceedings under it had in any county in the state.

Location without agreement.
R. S. c. 5, §9.

SEC. 11. In every township or tract hereafter to be sold or located for settlement, the land agent, before the same is offered for sale or settlement, shall cause the reserved lands to be located so as to embrace one or more tracts of the requisite quantity, quality, situation, and value, and to be properly described and recorded in the land office, and the plan or outline thereof to be entered on the plan of the township or tract in the land office, all of which shall be a sufficient location thereof.

Location to be made before offered for sale.
R. S. c. 5, §10.

SEC. 12. The land agent shall have the care of the reserved lands in all townships or tracts, until they are incorporated, and the fee becomes vested in the town. He may from time to time, sell the timber and grass thereon, or the right to cut the same, for cash, except the grass growing on improvements made by an actual settler, until incorporated into a town, for such sum as he thinks just and reasonable. When so sold, he shall give the purchaser a permit under his hand and seal, setting forth the terms of the contract, which shall be recorded in the office. The proprietors of the township or tract shall have the option to become purchasers thereof at the rate per acre for which the township or tract was sold.

Land agent to have care of lots located.
R. S. c. 5, § 11.
1870, c. 135, § 2.
See c. 12, §§ 40 to 50.
May sell timber and grass on them.
30 Me. 370.
45 Me. 67.
49 Me. 388.
Give proprietors option.

SEC. 13. The land agent shall keep an account with each such township and tract, in which shall be entered all expenditures made on account thereof, and all sums received therefrom. He shall settle his account of such receipts and expenditures annually with the governor and council, and pay over to the treasurer of state the balance in his hands, specifying each township and tract, from which it was received.

To keep an account with lots.
R. S. c. 5, § 12.

SEC. 14. The treasurer shall keep a separate account with the reserved land in each such township, in which he shall enter all sums by him received and paid on account thereof; and the balance shall remain in the treasury until such township or tract is by law authorized to receive it; and thereupon it shall be paid over to the proper officers thereof.

Treasurer to keep an account.
R. S. c. 5, § 13.
Disposition of the money.

SEC. 15. The money arising from the sale of timber and grass, or from trespasses on the reserved lands, paid into the treasury of the county, in which the township is situated, or into the treasury of the

Money to constitute a fund for schools.
R. S. c. 5, § 14

CHAP. 5. state, shall constitute funds for school purposes, of which the income only shall be expended and applied as is by law provided.

Money, when and how to be paid over.
R. S. c. 5, § 15.
1858, c. 13.

SEC. 16. The interest shall be added to the principal of such fund, until the inhabitants of such township or tract are incorporated into a town, or organized as a plantation, and establish in such plantation, one or more school districts according to law. When any such township is incorporated as a town, said funds belonging to it, shall be paid over by the treasurer of state to the treasurer of the trustees of the ministerial and school funds in such town, to be added to the funds of that corporation, and shall be held and managed as other school funds of that town are required by law to be held and managed. If such township or tract is organized as a plantation, the interest of said fund shall be paid annually by the treasurer of state to the assessors of such plantation, to be applied for the support of schools according to the number of scholars in each district. The interest so to be paid shall be cast up to the first day of January in each year, and shall be paid to such assessors by the treasurer, on producing satisfactory evidence that such plantation is organized, and school districts established therein according to law, and that assessors are duly sworn and qualified.

Interest to be cast annually.

Location of lands where there are proportions reserved in grant, how made.

R. S. c. 5, § 16.
1869, c. 31, § 1.
See c. 88, § 29.
17 Me. 423.
26 Me. 202.
29 Me. 29.
30 Me. 217.
33 Me. 300.

SEC. 17. When in the grant of townships or parts thereof, there are certain proportions of them reserved for the use of such townships, or for public uses, and they have not been lawfully located in severalty by the grantee, for the purposes expressed in the grant, the supreme judicial court in the county where the land lies, on application of the land agent, may appoint three disinterested persons, and issue their warrant, under the seal of the court, to them, requiring them, as soon as may be, to locate in separate lots, the proportions reserved for such purposes, and to designate the use for which each lot is so reserved and located, such lots to be of an average quality with the residue of the lands therein.

Committee to be sworn.

R. S. c. 5, § 17.

SEC. 18. Said committee, before acting, shall be sworn before a justice of the peace; and a certificate thereof shall be endorsed on the warrant.

Notice of appointment and place of meeting to be published.

1869, c. 31, § 2.
8 Me. 135.
26 Me. 202.

SEC. 19. They shall also give notice of their appointment, and of the time and place of their meeting to execute it, by publishing it in some newspaper in the state, to be designated by the court, and by posting up written notifications in two or more public places in the same plantation or town, if so ordered by the court, at least thirty days next prior to their meeting.

Return, acceptance, record.

R. S. c. 5, § 19.

SEC. 20. They shall make return of said warrant and their doings thereon, under their hands, to the next supreme judicial court in the county after having completed the service; which, being accepted by the court, and recorded in the registry of deeds therein within six

months, shall be a legal assignment and location of such reserved proportions for the uses designated. CHAP. 5.

SEC. 21. When the grantee of any such lands severs and locates such reserved proportions thereof, for the purposes mentioned in the grant, designating the use for which each lot is located, and presents it to said court, such court may confirm it; and such location shall then be deemed legal and conclusive, being recorded as before mentioned.

Location by grantee, how made.
R. S. c. 5, § 20.

SEC. 22. Or the severance and location of such reserved lands may be made and completed in the manner prescribed in the twenty-ninth section of chapter eighty-eight.

Location on partition.
R. S. c. 5, § 21.

SEC. 23. A person aggrieved by the opinion, direction, or judgment of said court in matters of law, in a proceeding for the location of such public lots, may allege exceptions thereto as in other actions.

Exceptions may be filed.
R. S. c. 5, § 22.

THE SALE OF LANDS FOR SETTLEMENT.

SEC. 24. Out of townships located and designated for settlement, the land agent, under the direction of the board for the management and sale of public lands provided for in section four, shall, from time to time, select, not exceeding ten in a year, to be offered for sale in lots for settlement; and publish a list of them and of the townships offered for sale and settlement in former years, in which lands still remain for sale, in some paper in each county in the state, in which any paper is published, once a week for three months, within six months after the selection is so made, with the substance of so much of this chapter as relates to the terms and conditions of the sale and settlement of such lands. The land agent may thereupon, under direction of said board, sell and convey such lots or parts thereof, surveyed as provided in section four, at the price said board may have caused to be noted on the plan of said lot, or at a higher price, not however exceeding in any case, one dollar an acre to an actual settler; and not more than one hundred and sixty acres shall be sold to one person.

Townships to be selected for settlement, list to be published with conditions of sale.
R. S. c. 5, § 28.
1859, c. 119, § 1.

SEC. 25. The purchaser shall give for such lands, three notes payable in one, two and three years, in labor on the roads in said township, under the direction of the land agent. The land agent shall thereupon give him a certificate, stating that he has become a purchaser of the lot or lots therein described, and that he will be entitled to a deed thereof, when he complies with the requirements of law.

Price and mode of payment.
R. S. c. 5, § 25.
Certificate of purchase to be made by land agent.

SEC. 26. Besides the payment of the notes, every such purchaser shall be required, within two years from the date of his certificate, to establish his residence on his lot, and within four years from such date to clear, on each lot, not less than fifteen acres, ten at least of

Settling duties required.
R. S. c. 5, § 26.

CHAP. 5. which shall be well laid down to grass; and to build a comfortable dwelling house on it.

Forfeiture for failure to perform.
R. S. c. 5, § 27.

SEC. 27. If the purchaser fails to perform any of the duties required of him, or to pay his notes, he forfeits all right to the land; and the land agent may dispose of it to another person.

Agents to superintend location of settlers and labor, &c.
R. S. c. 5, § 23.

SEC. 28. The land agent shall appoint some suitable person or persons in the vicinity to superintend the location of settlers, the payment of their road labor, and the performance of their several duties.

Roads to be located by land agent.
R. S. c. 5, § 24.

SEC. 29. In townships so selected, in which suitable roads have not been located, the land agent shall cause such roads to be located as the public interest and the accommodation of the future settlement require.

Settling duties done before deed is given.

SEC. 30. The land agent, before giving a deed to any purchaser of a lot of land under the provisions of sections twenty-five and twenty-six, shall ascertain whether all the requirements of law have been complied with by such purchaser, and for this purpose, the certificate of the person appointed by the land agent to superintend the laying out of the labor on the roads, under such regulations and mode of proof as the land agent shall prescribe, shall be evidence; and when such conditions shall have been complied with, each purchaser shall be entitled to an absolute deed of said lot.

Evidence required.
1862, c. 117.

Deed to be absolute.

All deeds heretofore or hereafter given, made absolute.
1862, c. 117, § 2.

SEC. 31. All deeds given by the land agent, under the provisions of said sections twenty-five and twenty-six, providing in substance, "*that if the grantee has failed to perform all the duties required of a settler, in conformity to chapter five of the revised statutes, approved April seventeen, eighteen hundred and fifty-seven, and all other acts, additional or amendatory thereto, the deed shall be void,*" shall be held to convey as absolute and complete a title as if such condition or reservation was not contained in said deed. Lots or sections of land in township number four, range four, W. E. L. S., exceeding the quantity allowed to be sold to settlers, may be sold upon the same terms as are prescribed in the preceding sections, if, in the judgment of the land agent, such lots or sections are not valuable for the lumber growth, but are found to be better adapted for settlement than for other purposes.

Sale of state lands to be made at option of land agent.
1866, c. 46.

Land certificate, powers granted to holders of.
1863, c. 172, § 1.

SEC. 32. Any lawful holder of the land agent's certificate, given under the provisions of section twenty-five, of a lot of land purchased of the state, may commence and maintain in his own name, any action relating to the same, against any party except the state or any person claiming under the state, by a subsequent title, the same as if he held a deed conveying to him the state's title in the land described in the certificate at the date thereof.

Settlers on state land allowed to cut timber, &c., for certain purposes.
1868, c. 181, § 1.

SEC. 33. The actual settler who has purchased land of the state under the provisions of section twenty-five, may cut thereon any tim-

ber or lumber he needs for building and fencing thereon, and any cedar, for the immediate support of himself and family. CHAP. 5.

SEC. 34. The land agent is prohibited from issuing any permit for the cutting of timber or lumber, upon any townships or land set apart for settlement, except upon lots in his own opinion not suitable therefor, and all such permits not authorized by law, are revoked. Limitation of permits on settling lands. 1868, c. 181, § 3.

SEC. 35. Whoever purchases a lot of wild land of the state, not exceeding one hundred and sixty acres, and complies with the condition of purchase, may hold it with the improvements thereon, free from attachment and levy on execution, while he remains in actual possession thereof. The value so exempted, shall not exceed one thousand dollars, to be set off to the owner in such portions of the lot as he directs, by the appraisers appointed to levy an execution, the same as real estate is set off and appraised on execution. Settler's lot to the value of \$1,000, exempt from attachment. R. S. c. 5, § 29.

SEC. 36. On the decease of such purchaser, such lot and the improvements shall descend to his children, subject to his widow's right of dower, and shall not be liable to be sold for the payment of his debts, except in case his other property is not sufficient for the payment thereof; and, in that case, his children shall have the occupancy and improvement thereof, subject to the widow's dower, until the youngest surviving child attains the age of eighteen years. The remainder of the estate, after the life estate of the widow, and after the youngest surviving child attains said age, may be sold as other estates of deceased persons for the payment of such debts, as the other estate of the deceased is not sufficient to pay. If he dies without issue, such lot shall descend and be disposed of as any other property. Descend to children free from debts of deceased till youngest is 18 years old. R. S. c. 5, § 30.

SEC. 37. No such purchaser, having a wife, shall convey his said lot by deed, unless his wife joins therein, and acknowledges it to be her free act and deed before a proper magistrate. Not to be conveyed without consent of wife. R. S. c. 5, § 31.

PERMITS TO CUT AND HAUL TIMBER.

SEC. 38. The land agent may grant permits to individuals, except as provided in section thirty-four, to cut and haul pine, spruce and hard wood timber, upon any lands owned by the state; but not to any one individual or company with liberty to supply more than two six-ox teams. Land agent may grant permits. 1860, c. 183.

SEC. 39. No permit shall be transferred by the person obtaining it, except for the purpose of securing payment for supplies advanced for operations under it; and any transfer except for said purpose, shall be void. Permits not to be transferred. 1860, c. 183, § 2. Attempt to transfer, effect of.

SEC. 40. A minimum price per thousand feet, board measure, shall be fixed by the land agent, having regard to its value, location and hauling distance; and when there are several applications for the same timber, the land agent shall sell the same at auction, to the Minimum price. 1860, c. 183, § 3. When competition, sale at

CHAP. 5. highest bidder, first giving at least thirty days public notice of the auction. Notice. time and place of sale.

Bond to be given for stumpage. 1860, c. 183, § 4.
47 Me. 18.

SEC. 41. All persons obtaining permits as aforesaid, shall be required to give a bond to the land agent, with satisfactory sureties for the payment of the stumpage and the performance of all the conditions of the permit.

Timber held for payment. 1860, c. 183, § 5.
Advance payment. 1860, c. 183, § 6.

SEC. 42. All timber cut under permits, shall be the property of the state until the stumpage is paid in full.

SEC. 43. On each team to be employed under permits, there shall be paid in advance, to the land agent, fifty dollars, which shall be the property of the state, if such permits are not improved; otherwise it shall be allowed in payment of the stumpage.

Surveyors, appointment, oath and duty of. 1860, c. 183, § 7.

SEC. 44. The surveyors or scalers shall be appointed by the land agent, and duly sworn; they shall scale all timber cut under permits, superintend the cutting of the same, and make return to the land agent, of the number and quality of the logs cut, whether hauled or not, and the number of feet board measure, and shall see that the timber be cut clean, and without strip or waste.

SALE OF TIMBER LANDS.

Timber lands may be sold for settling purposes. 1859, c. 119, § 1.

SEC. 45. Timber lands may be sold for the purpose of settlement, and any purchaser may pay the full value thereof at the time of sale and have a deed containing a condition for the performance of settling duties according to the provisions of section twenty-six; and he and his grantees, may convey their title thereto, if they comply with such conditions. If the consideration is not so paid, a fourth part thereof shall be paid in two years from the date of the deed, and the remainder in equal payments in one, two and three years from the first payment, with interest.

Condition of deed.

Townships of timbered land for sale to be set apart and published. R. S. c. 5, § 32. 1859, c. 119, § 1.

SEC. 46. The land agent under the direction of the board for the management of the public lands shall annually, in the month of February set apart for sale not exceeding ten townships of lands not suitable for settlement, and record them in a book to be kept for that purpose in the land office, and cause a list of them to be published in the state paper six months successively before the day of sale. The tracts so set apart may be offered for sale in townships, or parts of townships, as will be most for the interest of the state. Three months at least before the day of sale, he shall fix a minimum price on each tract or parcel, and enter it in said book, and cause the list, with such minimum price, to be published in one paper in each county in the state in which a paper is published, once a week at least, for three months successively before the day of sale. The sale shall be on the first day of September, at the land office in Bangor, by sealed proposals, which may be received at any time after the list, with the minimum price is published. No proposals shall be received unless ten

Mode of sale.

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per cent. of the minimum price is therewith paid into the land office. All proposals shall be numbered and entered in a book in the order in which they are received; and filed in the land office, and none shall be received after the hour of twelve, noon, on the day of sale, nor unless entered in said book. No proposal so entered and filed, shall ever be withdrawn from the office. Immediately after twelve, noon, of the day of sale, the proposals so entered shall be publicly opened by the land agent, and declared in the order in which they are entered and numbered. The person making the highest bid above the minimum price shall be declared the purchaser, and on payment of one-third of the purchase money in cash, including the ten per cent. of the minimum price deposited, the land agent shall make out and deliver to him a conditional deed, in the usual form of state deeds, of the tract by him purchased, taking for the remainder of the purchase money three promissory notes for equal sums, payable annually in one, two, and three years, with interest, and a bond with sufficient surety for the payment of a fair stumpage of all timber to be cut thereon, to be applied to the payment of the notes. If any person so declared a purchaser does not within two hours thereafter pay, or give satisfactory security for the payment of the cash payment so required, the land agent shall offer it to the next highest bidder in the list of proposals, on his bid or offer, on the same terms and conditions, and so on until some such bidder complies with the conditions of the sale. The person so declared the purchaser, and neglecting or refusing for twenty days to comply with the conditions of the sale, shall forfeit the ten per cent. of the minimum price by him deposited. The sum deposited by any other bidder, who does not become a purchaser, may be withdrawn by him at any time after the bids are declared and recorded. A list shall be made of the lands so offered and not taken by any bidder, in a book to be kept for that purpose, and they may, at any time thereafter, be sold by the land agent at private sale for a price not less than the minimum price, the terms and conditions of the sale, and security for the payment of the stumpage, being the same as in case of a public sale.

Manner of payment.

Purchaser to comply with condition of sale within two hours.

In neglect thereof, shall forfeit the deposit of ten per cent.

Bids may be withdrawn before sale.

List of lands not taken to be made, and such lands sold at private sale.

SEC. 47. The land agent may sell at public or private sale, for such price as he considers fair and for the interest of the state, all tracts of land owned by the state on islands or in incorporated towns.

Land agent may sell tracts in towns or on islands.
R. S. c. 5, § 33.

SEC. 48. The land agent shall report to the governor and council once in three months, and oftener if required, a particular account of all doings in his office, and the names of his agents; and they are hereby authorized to audit and settle his accounts at the close of each year prior to the annual session of the legislature, and at such other times as may be designated.

Land agent to report to governor and council.

Governor and council to settle accounts of land agent.
R. S. c. 5, § 34.

SEC. 49. He shall, in his reports, particularly describe all the lands which have been surveyed for sale and settlement, and exhibit

CHAP. 5. Form and contents of his report. R. S. c. 5, § 35.

plans of them with the field notes of the surveyor; and when any land has been sold, he shall describe it, and report the sum received therefor, the names of the purchasers, and their sureties, the names of the trespassers, the amount of the timber cut, and the place where cut, whether on settling or timber land, and the sum received per thousand feet, where he has settled with trespassers; and the sums he receives, from time to time, on the demands due, or which may become due; distinguishing the sums paid for principal and interest, and the names of the persons from whom received, and all other particulars required by the governor and council; and also an abstract of all notes, bonds, obligations, and other securities, with the names of debtors and sureties and the collateral security, taken to insure payment.

Money to be paid on warrant. Land agent to keep notes. Schedule returned to treasurer. R. S. c. 5, § 36.

SEC. 50. The money to be paid out of the treasury by virtue of this chapter shall be paid by a warrant from the governor and council, as in other cases; and all notes taken by the land agent, on account of the state, shall be safely kept by him, and he shall annually make out a schedule of said notes, and also quarterly trial balances, and balance sheets of the land office ledger, and return them to the state treasurer, who shall enter them in a book kept for that purpose.

Land agent's annual report. R. S. c. 5, § 37. 1859, c. 70.

SEC. 51. He shall, on the first day of December, except when that day falls on Sunday, and then on the following day, make his annual report to the governor and council, including a written statement of the number of suits instituted on notes given for lands sold, and for timber and grass cut by trespassers, or otherwise, and the amount of costs in each of said suits, for the year preceding.