

MAINE STATE LEGISLATURE

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DOCUMENTS

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THE LEGISLATURE,

OF THE

STATE OF MAINE,

DURING ITS SESSION

A. D. 1834.

FOURTEENTH LEGISLATURE.

NO. 9.

SENATE.

STATE OF MAINE.

IN THE YEAR OF OUR LORD, ONE THOUSAND EIGHT
HUNDRED AND THIRTY FOUR.

AN ACT regulating the survey of Land.

SECT. 1. *Be it enacted by the Senate and*
2 *House of Representatives in Legislature as-*
3 *sembled,* That it shall be the duty of the Land
4 Agent to superintend the surveying of land in
5 this State according to the provisions of this act,
6 and he shall have power to appoint a County
7 surveyor in each County of the State for the
8 purposes herein mentioned.

SECT. 2. *Be it further enacted,* That the
2 Land Agent procure a compass or other instru-
3 ment of approved construction, for a standard
4 State compass; and each of the County survey-
5 ors shall at all times keep a field compass of ap-

6 proved construction, and suitable size, which
7 having been compared with the State standard,
8 shall be standard compasses in the respective
9 counties, and the Land Agent in the State, and
10 the County surveyors in their respective Coun-
11 ties shall examine all compasses presented to
12 them for that purpose by their standard compass,
13 or otherwise, and shall mark all such as they
14 shall find essentially correct with the capital let-
15 ter M and with such other seal or device as they
16 may deem proper; and shall also examine and
17 measure all surveying chains, and other instru-
18 ments used in measuring of land, as may be pre-
19 sented to them for that purpose, and shall seal
20 or mark so that the same may be known all
21 such chains or other instruments as may be
22 found to be correct and of suitable size and con-
23 struction.

SECT. 3. *Be it further enacted*, That the
2 Selectmen in the several towns, may appoint
3 any person resident in their town or in an adja-
4 cent plantation, or settlement, to be a surveyor
5 of land for a term of four years from the date of
6 such license; *Provided* that no person shall be
7 appointed a surveyor of land by the Selectmen
8 of any town, unless he shall produce to them a

9 certificate from the Land Agent, or County sur-
10 veyor, that he is duly qualified in point of sci-
11 ence, in the art of surveying land in the most
12 approved method. The Land Agent, his as-
13 sistants, the County surveyors and the survey-
14 ors of land licensed as aforesaid, shall have pow-
15 er, as public officers, to lay out lands, renew
16 bounds of land already laid out according to their
17 original grants, to run lines, survey and measure
18 land, and perform any other service proper for a
19 surveyor to do: and each of them shall be enti-
20 tled to receive two dollars per day for their ser-
21 vices, exclusive of expenses. The Land Agent
22 and the County surveyors shall be entitled to re-
23 ceive from those who employ them to examine and
24 certify their science in surveying, one dollar; for
25 examining, approving and marking or condemning
26 a compass, one dollar; and for measuring and
27 marking a chain or other instrument, fifty cents.

SECT. 4. *Be it further enacted,* That the sur-
2 veyors appointed and licensed pursuant to this
3 act shall before entering upon the duties of their
4 office take and subscribe the oaths required by
5 the constitution before some Justice of the Peace.
6 And whenever any such surveyor is employed
7 in his office in surveying land or doing any other

8 service in his office, and there shall be occasion
9 to employ some persons to carry the chain, such
10 chainmen shall be appointed and approved of by
11 the surveyor, and shall take an oath faithfully to
12 perform that duty, and such surveyor shall have
13 authority to administer the same.

SECT. 5. *Be it further enacted,* That when-
2 ever any surveyor shall be required to run a line
3 between adjoining proprietors, and in order to
4 find the true course it shall be necessary for him
5 to run a random line, and if in so doing he shall
6 run on to the land of an adjoining proprietor,
7 such surveyor, and his assistants shall not be
8 deemed guilty of trespass in running such ran-
9 dom line.

SECT. 6. *Be it further enacted,* That it shall
2 be the duty of the County surveyors to ascertain
3 the variation of the compass in their respective
4 Counties in the month of June of each year, and
5 shall return a certificate thereof to the land office
6 in Augusta, and also to the Registers of Deeds
7 of the several Counties, before the twentieth
8 day of January then next following; stating
9 therein, what is the variation, if any, and the time
10 when and the place where the same was ascer-
11 tained.

SECT. 7. *Be it further enacted,* That the
2 standard measure of length, for the measure of
3 land, shall be the yard established in this State,
4 to be divided into three equal parts called feet,
5 and each foot into twelve equal parts called inch-
6 es. Twenty two such yards, shall make one
7 chain; five and an half yards one rod, pole or
8 perch; and one thousand seven hundred and
9 sixty yards one mile. Land shall be measured
10 horizontally and the acre shall contain ten square
11 chains or one hundred and sixty square rods,
12 equal to four thousand and eight hundred and
13 forty square statute yards; six hundred and forty
14 such acres being contained in a square mile.
15 The instruments to be used for measuring dis-
16 tance in surveying of land shall be the standard
17 yard divided as aforesaid, made of metal or of
18 durable hard wood. The chain made of metal
19 wire of sufficient size to prevent a material vari-
20 ation in length by use; to be twenty two yards
21 in length and divided into one hundred equal
22 parts or links; or the half chain of eleven yards
23 in length, and divided into fifty links, and the
24 rod, pole, or perch, made of wood or metal and
25 divided into twenty five equal parts or links.

SECT. 8. *Be it further enacted,* That no
2 surveyor hereafter employed to survey or meas-
3 ure land shall give evidence in any cause depend-
4 ing in any court in this State, or before referees,
5 or arbitrators respecting the survey or measure-
6 ment of land, unless he shall make oath if requir-
7 ed that the chain or measure used by him was
8 conformable to the standards of this State estab-
9 lished by law, at the time such survey was made.

STATE OF MAINE.

IN SENATE, January 24, 1834.

Ordered that three hundred copies of the foregoing Bill be printed for the use of the Legislature.

(Extract from the Journal.)

Attest, WILLIAM TRAFTON, *Secretary.*

I. BERRY & CO., PRINTERS TO THE STATE.
