

MAINE STATE LEGISLATURE

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DOCUMENTS

PRINTED BY ORDER OF

THE LEGISLATURE

OF THE

STATE OF MAINE,

DURING ITS SESSION

A. D. 1843.

AUGUSTA:

WM. R. SMITH & Co., PRINTERS TO THE STATE.



1843.

TWENTY-THIRD LEGISLATURE.

No. 51.]

[HOUSE.

A N A C T

RELATING TO

THE PUBLIC LANDS.

[Wm. R. SMITH & Co....Printers to the State.]

STATE OF MAINE.

IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED AND
FORTY-THREE.

AN ACT in relation to the sale of timber on the Public
Lands.

*Be it enacted by the Senate and House of Representa-
tives in Legislature assembled—as follows :*

SECTION 1. The Land Agent is hereby authorized
to grant permits, to individuals to cut and haul pine
timber upon any of the lands owned by the State, in
severalty, or in common with the Commonwealth of
Massachusetts, which have been or may hereafter be
surveyed, *provided however*, that no permit shall be
granted to any one individual or company, with lib-
erty to employ more than four six ox teams, nor shall
the whole amount of timber cut and hauled in any
one year exceed forty millions feet board measure, to
be run into the waters of the Penobscot river, thirty
millions feet to be run into the waters of the Kenne-
bec river, and forty millions feet or ton timber not to
exceed that amount to be run on the Aroostook river,
or the waters emptying into the St. John river.

SEC. 2. No permit granted as aforesaid shall be

2 transferred, by the person or persons obtaining the
3 same, except for the purpose of securing payment for
4 supplies advanced for operations under the same ;
5 and any attempt at transfer except for said purpose
6 shall operate to render void the rights attempted to
7 be transferred.

SEC. 3. All lumber cut under any permit granted
2 as aforesaid shall be divided into three classes, as fol-
3 lows : logs sound and of good quality, which if cut
4 eighteen feet long, shall scale five hundred feet and
5 upwards board measure, or logs which when reduced
6 in the scale in order to make them equal to good and
7 sound timber, and which if cut eighteen feet long
8 shall scale five hundred feet and upwards shall be of
9 the first class, and the price of stumpage thereof shall
10 not be less than four dollars for every thousand feet.
11 All logs which if cut eighteen feet long, being sound
12 and of good quality shall scale more than three hun-
13 dred feet and less than five hundred feet ; or logs
14 which when reduced in scale to sound timber, shall
15 scale more than three hundred feet and less than five
16 hundred feet, shall be of the second class, and the
17 price of the stumpage thereof shall not be less than
18 three dollars for every thousand feet. All other logs
19 shall constitute the third class, and the price of the
20 stumpage thereof shall not be less than one dollar for
21 every thousand feet.

SEC. 4. The price of stumpage of spruce, and
2 other timber, shall be fixed by the Land Agent ac-

3 cording to its value, regard being had to its location
4 and hauling distance.

SEC. 5. When there are several applications for the
2 same timber, the Land Agent shall sell the same at
3 auction to the highest bidder, first giving at least thirty
4 days public notice of the time and place of sale.

SEC. 6. All persons obtaining permits as aforesaid,
2 shall be required to give a bond with satisfactory sure-
3 ties for the payment of the stumpage, and for the
4 performance of all the conditions of the permit or
5 contract.

SEC. 7. The surveyors, or scalers, shall be appoint-
2 ed by the Land Agent, and shall be sworn to the faith-
3 ful discharge of their duty. They shall scale all lum-
4 ber cut under permits granted as aforesaid, superin-
5 tend the cutting of the same, and make return to the
6 Land Agent of the number and quality of the logs cut,
7 whether hauled or not, and the number of feet, board
8 measure, and shall see that the lumber be cut clean
9 and without strip or waste.

SEC. 8. All lumber cut under permits as aforesaid,
2 shall be and remain the property of the State until the
3 stumpage is paid in full.

SEC. 9. On each team to be employed under per-
2 mits as aforesaid, there shall be paid in advance to
3 the Land Agent fifty dollars, which money shall be the
4 property of the State ; *provided* the privileges granted
5 under such permits shall not be improved ; otherwise

6 the amount so paid shall be allowed in part payment
7 of the stumpage on final settlement.

SEC. 10. Sections ten and eighteen, of an act on-
2 titled, "an act additional to an act in relation to the
3 public lands," passed March 18, 1842, is hereby re-
4 pealed, and the resolve approved March 9, 1832, par-
5 tially repealed by said eighteenth section, is hereby
6 revived and declared to be in full force.

STATE OF MAINE.

HOUSE OF REPRESENTATIVES, }
March 17, 1843. }

Laid on the table, and 300 copies ordered to be printed for the
use of the Legislature.

WM. T. JOHNSON, *Clerk.*