

MAINE STATE LEGISLATURE

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DOCUMENTS

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THE LEGISLATURE

OF THE

STATE OF MAINE,

DURING ITS SESSION

A. D. 1844.

AUGUSTA:
WM. R. SMITH & Co., PRINTERS.

1844.

TWENTY-FOURTH LEGISLATURE.

No. 51.]

[SENATE.

A N A C T

IN RELATION TO

THE SURVEY OF LUMBER.

[WM. R. SMITH & Co....Printers.]



STATE OF MAINE.

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

AN ACT in addition to an act to regulate the survey of
Lumber in the county of Penobscot.

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

SECTION 1. It shall be the duty of the surveyor
general to be in constant attendance at his office or
in discharge of the duties connected therewith, during
business hours from the opening of the river in the
spring to the close of the same.

SEC. 2. In all surveys of lumber hereafter made in
the county of Penobscot by the surveyor general or
either of his deputies, the contents thereof shall be
truly marked thereon in plain characters, and all marks
put thereon by millmen or others, if erroneous, shall
be corrected or erased ; and in all surveys by the sur-
veyor general or his deputies, there shall be placed on
each piece of lumber except the last denomination
mentioned in each sort, the numerical mark showing
the particular sort or quality to which it belongs, ex-
cepting, and the same is hereby excepted, all of such

12 lumber as is not intended for transportation out of said
13 county by such survey, and any survey of lumber
14 aforesaid not exported or intended to be exported out
15 of said county by such survey, excepting, and the
16 same is hereby excepted, all the aforesaid descriptions
17 of lumber which shall be surveyed in the city of Ban-
18 gor, may be made by any surveyor who shall be duly
19 appointed, chosen and qualified by the towns and
20 plantations in said county, at their annual meetings
21 for the choice of other town and plantation officers,
22 *provided*, that said surveyors shall be governed by the
23 rules for defining the several sorts of lumber prescrib-
24 ed in the act to which this is additional ; and it is also
25 hereby *provided*, that any person or persons may buy
26 or sell at the mill marks for home consumption, or
27 may transport the same out of said county to be sur-
28 veyed in any port or place elsewhere, any of the de-
29 scriptions of lumber aforesaid.

SEC. 3. The fees of the surveyor general for sur-
2 veying and marking said lumber and giving certifi-
3 cates therefor, shall be paid by the purchaser, and at
4 the following rates, viz : for all lumber which may re-
5 quire the numerical mark to be placed upon it, eigh-
6 teen cents per thousand feet board measure, and all
7 lumber sold at the contents and so surveyed without
8 the numerical marks, twelve and half cents per thou-
9 sand feet board measure, and whenever said survey
10 or said survey and marking shall be done by a dep-
11 uty of said surveyor general, he shall pay to said sur-

12 veyor general for his perquisite one tenth part of the
13 fees therefor.

SEC. 4. It shall be the duty of the purchaser or
2 seller to make application to the surveyor general,
3 whose duty it shall be to appoint and designate one
4 from his list in rotation, or as nearly so as is practica-
5 ble, so that no deputy shall successively survey two
6 cargoes of boards for the same person or firm.

SEC. 5. It shall be the duty of the surveyor gen-
2 eral to cause to be recorded in a book by him kept
3 for that purpose an account of all lumber of every
4 description surveyed by him or either of his deputies,
5 and before the same is recorded he shall cause a care-
6 ful examination of all the footings and castings, and
7 shall for the space of six months after such record is
8 made keep the original figures containing the account
9 of all the surveys by himself or his deputies and re-
10 corded as aforesaid, which original figures any party
11 interested shall have the right to examine on applica-
12 tion to said surveyor general.

SEC. 6. If said surveyor general or either of his
2 deputies shall fail to put on the marks required by the
3 second section of this act, he or either of his deputies
4 so offending shall forfeit the sum of one dollar for
5 every thousand feet surveyed, and which they have
6 omitted to mark as provided by said second section.
7 And if the surveyor general shall fail to do and per-
8 form all the duties required by this act, he shall forfeit
9 not less than ten and not more than one hundred dol-

10 lars, for each and every offence. And all the penal-
11 ties of this act may be recovered in the same manner
12 and to the same uses as is provided in the tenth sec-
13 tion of the act to which this is additional.

SEC. 7. All acts and parts of acts inconsistent with
2 this act are hereby repealed.



STATE OF MAINE.

IN SENATE, March 14, 1844.

ORDERED, That 300 copies of the foregoing Bill, be printed for the use of the Legislature.

JERE HASKELL, *Secretary.*