

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

EIGHTY - SEVENTH LEGISLATURE

Legislative Document

No. 440

H. P. 1221

House of Representatives, February 7, 1935.

Referred to Committee on Mines and Mining, sent up for concurrence and 500 copies ordered printed.

HARVEY R. PEASE, Clerk.

Presented by Mr. Mosher of Farmington.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
THIRTY-FIVE

AN ACT Relative to Mines and Minerals.

Be it enacted by the People of the State of Maine, as follows:

Sec. 1. Citizens may prospect for minerals. Any resident of Maine, who is a citizen of the United States, who has secured a license to prospect for minerals may enter upon any unorganized township in this state and prospect thereon for gold, silver or other valuable minerals or metals, being responsible to the owner of the land for all damages done thereon.

Sec. 2. License; fee. The secretary of state shall provide for the issuance of licenses as mining prospectors, to persons applying therefor; all such licenses shall expire on December 31 of each year. The license fee shall be \$5.

Sec. 3. Vein mining claim may be located. Any person who has secured a license as aforesaid who discovers a vein or lode may locate a lode mining claim thereon, by defining the boundaries of the claim which shall not be more than 1500 feet in length and not more than 600 feet in width, and by erecting at the point of such discovery a location monument showing the extent of the location, the name of the claim, the name of the locator or locators and the date of the location.

Sec. 4. Claim to be recorded. Within 90 days of the date of posting the location notice upon the claim the locator shall record his claim in the registry of deeds in the county in which the claim is situated by location certificate which must contain: First, the name of the lode or vein. Second, the name of the locator or locators. Third, the date of the location and such description of the location of said claim, with reference to some natural object or permanent monument as will identify the claim. Fourth, the number of linear feet claimed in length along the course of the vein each way from the point of discovery and the width on each side of the vein, and the general course of the lode or vein as near as may be. Fifth, the location and description of each corner, with the markings thereon.

Sec. 5. Location of vein claim. The location or record of any vein or lode claim shall be construed to include all surface ground within the surface lines thereof, and all lodes and ledges throughout their entire depth, the top or apex of which lies inside of such lines extended downward vertically with all parts of such lodes or veins as continue to dip beyond the side lines of the claim, but shall not include any portion of such lodes, veins or ledges beyond the end lines of the claim, or beyond the side lines in any other manner than by the dip of the lode.

Sec. 6. Right of possession. The location of a lode mining claim, to obtain the right of possession must sink a discovery shaft upon the claim located 4x6 feet to depth of at least 10 feet from the lowest part of the rim of such shaft at the surface or depth, if necessary to show by such work a lode deposit of mineral in place.

Sec. 7. Number of claims, regulated. No person shall locate more than 2 claims on any 1 or the same unincorporated place in 1 year.

Sec. 8. Maintenance of right of possession. The right of possession to a valid mining claim is maintained by the expenditure of at least \$100 annually in labor or improvements of a mining nature on the claim.

Sec. 9. Right of way; owner reimbursed. Any person who has located a mining claim as provided in sections 1 to 8, inclusive, of this chapter shall have the right of way across said township to and from said location, and the right to take therefrom all wood and timber necessary to be used in the operation of the mine by paying to the owner thereof a fair and just price for the same, and shall also be obligated to pay to the owner of the land 5% of the net profits derived from the operation of the mine.

Where required for or in connection with the usual proper working of the mine, the locator thereof may obtain and have vested in him the right to open, construct, put in, maintain and use ditches, tunnels, pipes, conduits, flumes and other works through, over or upon said land for drainage and passage of water, together with right to construct dams in connection with the working of his mine to bring thereto water necessary or convenient for its operation.