

# MAINE STATE LEGISLATURE

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# **PUBLIC ACTS**

OF THE

## **STATE OF MAINE,**

PASSED BY THE

**ELEVENTH LEGISLATURE,**

AT ITS SESSION, HELD IN JANUARY, 1831.

—◆—  
PUBLISHED AGREEABLY TO THE RESOLVE OF 28TH JUNE, 1820.  
—◆—

**Portland.**

TODD AND HOLDEN.....PRINTERS TO THE STATE.

1831.

Acts inconsis-  
tent with this  
repealed.

SECT. 3. *Be it further enacted,* That all Acts, and parts of Acts, inconsistent with the provisions of this Act be, and the same are hereby repealed.

[*Approved by the Governor, March 25, 1831.*]

## CHAPTER DX.

AN ADDITIONAL ACT to promote the sale and settlement of the Public Lands.

Public Lands may be sold to actual settlers.

SECT. 1. *BE it enacted by the Senate and House of Representatives, in Legislature assembled,* That the Land Agent be, and hereby is authorized, from time to time, to sell the public lands to such persons as will engage to settle and improve the same: *Provided,* That the land shall not be sold for less than fifty cents per acre, and in the manner hereinafter provided.

Least price 50 cts. per acre.

Public Lands may be surveyed into lots, under direction of Governor and Council.

SECT. 2. *Be it further enacted,* That the Land Agent, under the direction of the Governor and Council, shall survey or cause to be surveyed, from time to time, into lots, any and so much of any of the townships or other land, the property of the State, as the public interest shall require: and said lots shall be surveyed in such size and form as will best promote the interest of the State and the settlement thereof. In the surveys, regard shall be had to roads, streams, ponds and mountains; and the surveyor shall be required to give a particular account of the sorts of wood and trees, the quality and quantity of pine timber standing and growing thereon, also a particular description of the surface of the land, the quality of the soil and the streams and water courses.

Duty of Surveyor.

SECT. 3. *Be it further enacted,* That the Land Agent, under the direction aforesaid, after the lands have been surveyed and described as

aforesaid, be, and hereby is authorized to sell at public sale the timber of all sorts standing and growing on said lands, by the thousand feet, board measure, or by the lot or lots, allowing a period of not more than three years to the purchaser or purchasers to cut and remove the same. And all sales at Public Auction shall be advertised in the State Paper and in one or more newspapers in the County where such timber is situated, three weeks successively, the last publication to be thirty days before the time of such sale, and the minimum price shall be stated therein: *Provided*, That the Land Agent, shall in writing clearly and distinctly describe the lot or lots and the terms of the sale, and the purchaser or purchasers shall give bond to the State, with sufficient sureties, in a penal sum double the amount of the value of the timber sold to him or them, conditioned among other things, that he, they or any person or persons under him or them, shall not violate the terms of the license or contract with the Land Agent, and also that no timber shall be cut without license, by them or any of them, on the public lands of the State of Maine, or the Commonwealth of Massachusetts.

Timber may be sold at public sale.

Purchaser to cut and remove timber within three years.

Notice of sale.

Duty of Land Agent.

Purchaser to give bonds with sureties.

Conditions of bond.

SECT. 4. *Be it further enacted*, That the Land Agent, under the direction aforesaid, be, and hereby is authorized to survey and lay out, or cause to be surveyed and laid out, a road from the mouth of the Mattawamkeag River, or from some eligible point on the Military Road leading from said river to Houlton, to some point on the River St. John, at or near Fish River, not varying however more to the Eastward than to some point nearly opposite the mouth of the Madawaska river, or so much thereof, from time to time, as may be considered for the interest of the State; and is further authorized to expend in opening, clearing, causewaying and making said road safe and convenient for travellers, from time to time, such sums of money as may be necessary,

Road to be laid out from Mattawamkeag River to St. Johns River.

Amount to be expended in making the road.

Massachusetts to contribute equal sums for same purpose.

Road to be made by contract.

Land Agent to give public notice and request proposals.

Contractors to give security.

County Commissioners to lay out such part of the road as passes over land not belonging to this State or Massachusetts.

The whole road to be a County road.

Public lands may be sold to actual settlers

not exceeding however ten per centum of the sales of timber and land: *Provided*, That the Commonwealth of Massachusetts shall authorize and empower her Land Agent, to lay out and expend for the purposes aforesaid, equal sums of money, or so much as the Land Agents of said State and Commonwealth shall agree to expend and lay out for the purposes aforesaid, not exceeding however ten per centum of the amount of the sales of the timber and lands made by said State and Commonwealth: *Provided further*, That the Land Agents shall bridge, causeway, and make said road as aforesaid, by contract, first giving public notice, and therein describing the section or sections of said road which they propose to make, the manner of making and finishing the same in all respects; and request proposals from such persons as may be disposed to enter into contract to build and make the same. And the Land Agents shall accept the proposals if the same are, in their opinion, reasonable and advantageous to the said State and Commonwealth, provided sufficient security be first given for the faithful performance thereof to the acceptance of said Agents: *And provided also*, That whenever it is necessary that some of said road shall pass over lands of proprietors, other than those of said State and Commonwealth, the Commissioners of roads for the County in which said lands are situated, shall lay out the road over the lands of such proprietors, and take legal measures to have the same made and completed. And the whole road aforesaid, or any part thereof, when made and completed, shall be a county road to all intents and purposes in the County in which it is situate.

SECT. 5. *Be it further enacted*, That the Land Agent, under the direction as aforesaid, be, and hereby is authorized to sell any of the public lands which shall be put into the market as aforesaid, to such persons as will engage to set-

tle and improve the same, for money or on credit, not exceeding four years, provided the purchaser or purchasers shall give sufficient personal security, in the opinion of the Land Agent, or shall give notes and a mortgage deed of the land to the State, as security for the payment of the purchase money, with annual interest.

on credit not exceeding 4 years—with personal security, or mortgage.

Interest annually.

SECT. 6. *Be it further enacted*, That the Land Agent, under the directions and restrictions aforesaid, be, and hereby is authorized to sell the timber and grass growing on the public lands, for money, or on a credit not exceeding one year from the first day of November in each year; and if the licenses aforesaid shall be given for more than one year and not exceeding three years, then there shall be paid on or before the first day of November in each year, one half or third part of the whole sum for the timber or grass authorized to be cut by said license or licenses according to the time specified therein.

Land Agent may sell timber and grass on public lands on credit not exceeding one year.

Conditions if License for more than one and not exceeding three years.

SECT. 7. *Be it further enacted*, That if any person or persons shall enter without liberty, and trespass upon the lands of this State, or of the Commonwealth of Massachusetts, or upon the undivided lands, the property of said State and Commonwealth, and being so entered, shall cut down, take or carry away, or shall cut down for the purpose of taking and carrying away and converting to his or their own use, any tree or trees, or grass, standing and growing on the lands aforesaid, the teams, horses, oxen, sleds, chains, and other implements used in committing such trespass or trespasses, shall be and hereby are, declared to be forfeit to use of said State or Commonwealth, or both, according to the title of the land where the trespass as aforesaid shall be committed. And the person or persons who shall furnish said teams, oxen, horses, sleds, chains or other implements, or the supplies of provisions or other articles, which shall be used by the person or persons as aforesaid, in committing and carry-

Trespasses on the lands of this State and Massachusetts prohibited.

Teams, horses, oxen, sleds, &c. used in committing trespasses forfeited.

Persons furnishing teams, oxen, horses, sleds, &c. or provisions, to be used in committing trespasses, to be liable as trespassers.

Measure of damages.

This State or Massachusetts, or both, may seize and sell timber &c. cut on public lands by trespassers.

Trespassers not to be allowed to purchase the same.

Persons taking logs, masts, spars, timber or other lumber in certain cases, to be adjudged guilty of stealing.

Punishment.

Land Agent to have the care of lots reserved for public uses in townships.

ing on the trespass or trespasses as aforesaid, shall be, and hereby are, declared to be trespassers, and to be jointly and severally liable for the same, as other trespassers now are by law; and the measure of damages for any trespass committed as aforesaid, in addition to the forfeiture aforesaid, shall be the highest price the timber, logs, or other lumber of every description, or hay, shall bring at the usual place of sale of such timber, logs, or other lumber of every description, or hay: *Provided*, That nothing herein contained shall be so construed as to take away any right which said State or Commonwealth, or both, have, of seizing and selling any or all the timber, logs, or other lumber of every description, or hay, cut as aforesaid: *Provided*, That in the sales of the timber, logs, or other lumber, or hay, seized as aforesaid, no person in any way concerned in committing, or in supplying those who shall commit such trespass, shall be allowed, directly or indirectly, to purchase any part or portion thereof.

SECT. 8. *Be it further enacted*, That if any person or persons shall fraudulently and secretly take and convert to his or their own use, any logs, masts, spars, timber, or other lumber of any kind, not his own, which have been put into any lake, pond or stream in this State, for the purpose of being driven or transported to market or place of manufacture, he shall be adjudged to be guilty of stealing, and shall be punished by a fine of not less than ten dollars, or by imprisonment and hard labor, not exceeding two years, or both, according to the nature and aggravation of the offence.

SECT. 9. *Be it further enacted*, That the Land Agent be, and hereby is authorized and directed to take care of the public lots which have been, and shall hereafter be reserved for public uses, in the several townships in this State, until the fee shall vest in the town or otherwise, accor-

ding to the force and effect of the grant, and preserve the same from pillage and trespass.

SECT. 10. *Be it further enacted*, That the sixth, seventh and eighth sections of an Act to promote the sale and settlement of the public lands, passed the twentieth day of February, in the year of our Lord one thousand eight hundred and twenty eight, and all parts of Acts inconsistent with this Act, be, and the same are hereby repealed: *Provided*, That all contracts entered into under the same, shall be valid.

6th, 7th & 8th sections of act of Feb. 20, 1828, and all acts inconsistent with this act repealed.

Contracts under former acts valid.

[*Approved by the Governor, March 28, 1831.*]

## CHAPTER DXI.

AN ADDITIONAL ACT to regulate the Inspection of Beef and Pork.

SECT. 1. *BE it enacted by the Senate and House of Representatives, in Legislature assembled*, That it shall be the duty of the Inspector General of Beef and Pork, and of his deputies, to make inspection of beef and pork as required by law within the time between sunrising and sunsetting; and if the Inspector General or his deputy shall make such inspection during the time between sunsetting and sunrising, he shall forfeit and pay the sum of ten dollars, for each and every such offence, to be recovered in an action of debt by any person who shall sue for the same, within six months after said offence shall be committed.

Beef and Pork to be inspected between sunrising and sunseting.

Penalty for making inspection at any other time and how recovered.

SECT. 2. *Be it further enacted*, That no pork nor beef imported into this State, in barrels, half barrels, or other casks, which shall not bear thereon the marks of an inspection, showing the quality and quantity thereof, and the name of an inspector of this State, or of some one of the United States, shall be shipped in this State, or sold or offered for sale in this State, and any person

Beef or Pork imported in barrels, half barrels, or other casks, not bearing mark of inspection, not to be shipped or sold.