

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

PASSED BY THE

THIRTY-SECOND LEGISLATURE

OF THE

STATE OF MAINE,

A. D. 1853.

Published by the Secretary of State, agreeably to Resolves of June 28, 1820,
Feb. 26, 1840, and March 16, 1842.

Augusta:
WILLIAM T. JOHNSON, PRINTER TO THE STATE.

1853.

PUBLIC LAWS
OF THE
STATE OF MAINE.

1853.

Chapter 45.

An act to repeal an act entitled "an act in relation to petitions for review," approved April thirteenth, eighteen hundred and fifty-two.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:

The act entitled an act in relation to petitions for review, approved April thirteenth, one thousand eight hundred and fifty-two, is hereby repealed, saving all actions pending.

Petitions for review.

[Approved March 31, 1853.]

Chapter 46.

An act regulating the management and sale of the public lands.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:

SECT. 1. The land agent, under the direction of the governor and council, shall annually, in the month of February, set apart for sale, not exceeding ten townships of the land now owned, or that may hereafter be owned by this state, not suitable for settlement; and shall make a record of the same in a book to be kept for that purpose in the land office; and a list of the lands thus set apart shall be published in the state paper six months successively before the day of sale, and such townships or parts of townships shall be sold in the manner hereinafter provided.

Public lands, sale of, &c.

—list to be published in state paper.

SECT. 2. Said agent shall ascertain the value of the several tracts so set apart and shall furnish a list of such townships or parts of townships so set apart to the publisher of one newspaper published in each county (if one is published therein) and said list shall be published three months successively prior to the day of sale; and the said land agent shall, on the first day of September, annually, at the land office in Bangor, fix a minimum price for such lands, and proceed to sell the same by sealed proposals in writing, and no such proposal to purchase shall be considered unless ten per centum in money of the amount proposed to be paid for such tract shall accompany such proposal.

—to be published in one paper in each county.

—sale of, regulated.

SECT. 3. Such sum proposed must be equal to the minimum price for townships or parts of townships, fixed by said land agent; and every proposal, accompanied with the sum of ten per centum aforesaid, equal to and exceeding the minimum price fixed by said land agent, shall be entertained, but if the person making the highest offer above such minimum shall decline

Proposals for purchase.

CHAP. 47.

Forfeiture for neglect to comply with terms of sale.

Deed, &c.

Townships unsold, how disposed of.

receiving such township or part of township so proposed for, or shall, for the space of twenty days, neglect or refuse to comply with the conditions of sale, he shall wholly forfeit to the state such ten per centum of the sum named accompanying such proposal, and the land agent shall offer such township or part of township to the person making the next highest proposal, not less than the minimum price, who will receive the same and comply with the conditions of sale. And for such township or part of township proposed for at the highest price above such minimum, the land agent is required to execute a conditional deed in the usual form of state deeds, and such applicant shall be required, before the delivery of the deed, to pay one third of the required amount in cash, and for the remainder he shall furnish the land agent with three promissory notes of equal sums, payable annually in one, two and three years to the state treasurer, and a bond with sufficient guaranty for amount of stumpage cut on such land, as fixed annually by said land agent to be applied in payment of said notes.

SECT. 4. All townships and parts of townships advertised and offered as aforesaid, and not sold as contemplated herein, may at any time after said first day of September, until the first day of February following, be sold by the land agent at private sale, at a price not less than the minimum fixed, upon the conditions aforesaid.

[Approved March 31, 1853.]

Chapter 47.

An act relating to trespasses on the public lands.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Damages for trespass on public lands, how determined.

SECT. 1. Whenever an action of trespass for timber cut on the lands of the State of Maine, or on the land of the Commonwealth of Massachusetts, or on the undivided land belonging to said state and commonwealth, shall be prosecuted for the benefit of individuals, the principles of decision and the measure of damages shall be the same as are applicable to like actions between individuals. This act shall apply only to trespasses hereafter committed.

[Approved March 31, 1853.]