

# MAINE STATE LEGISLATURE

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# ACTS AND RESOLVES

PASSED BY THE

## THIRTY-NINTH LEGISLATURE

OF THE

## STATE OF MAINE.

1860.

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Published by the Secretary of State, agreeably to Resolves of June 23, 1820, February 26,  
1840, and March 16, 1842.

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AUGUSTA:  
STEVENS & SAYWARD, PRINTERS TO THE STATE.  
1860.

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PUBLIC LAWS

OF THE

STATE OF MAINE.

1860.

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**Chapter 182.**

CHAP. 182.

An act additional to chapter one hundred forty-two of the revised statutes, relating to the reform school.

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

SECT. 1. The trustees may bind out all boys committed to their charge for a term of time within the period of their sentence, as apprentices to any suitable inhabitant of this state, when requested to do so by the overseers of the poor of any of the cities, towns or plantations that are liable to contribute to the support of such boys by the provisions of the act to which this is additional.

Trustees may bind out boys, on request of overseers of poor.

SECT. 2. Section ten of chapter thirty-seven of the act approved March twenty-six, eighteen hundred and fifty-eight, entitled "an act additional to chapter one-hundred forty-two of the revised statutes relating to the reform school," is hereby repealed.

Ch. 37, sec. 10, of act 1853, repealed.

SECT. 3. This act shall take effect after its approval by the governor.

[Approved March 19, 1860.]

**Chapter 183.**

An act in relation to the sale of timber on the public lands.

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

SECT. 1. The land agent is hereby authorized to grant permits to individuals to cut and haul pine, spruce, and hard wood timber upon any lands owned by the state ; *provided however*, that no permits shall be granted to any one individual or company, with liberty to employ more than two six ox teams.

Land agent may grant permits.

Proviso.

SECT. 2. No permit granted as aforesaid, shall be transferred by the person or persons obtaining the same, except for the purpose of securing payment for supplies advanced for operation under the same ; and any attempt at transfer, except for said purpose, shall operate to render void the rights attempted to be transferred.

Permits not to be transferred.

—attempt to transfer, effect of.

SECT. 3. A minimum price per thousand feet, board measure, shall be fixed by the land agent, having regard to its value, location and hauling distance ; and when there are several applications for the same timber, the land agent shall sell the same at auction, to the highest bidder, first giving at least thirty days public notice of the time and place of sale.

Minimum price.

When competition, sale at auction, notice.

SECT. 4. All persons obtaining permits, as aforesaid, shall be required to give a bond to the land agent, with satisfactory sure-

Bond to be given for stampage.

**CHAP. 184.**Timber held for  
payment.Advance  
payment.Surveyors,  
appointment,  
oath and duty  
of.

ties for the payment of the stumpage, and for the performance of all the conditions of the permit or contract.

SECT. 5. All timber cut under permits, as aforesaid, shall be and remain the property of the state until the stumpage is paid in full.

SECT. 6. On each team to be employed under permits, as aforesaid, there shall be paid in advance, to the land agent, fifty dollars, which money shall be the property of the state, provided, the privileges granted under such permits, shall not be improved; otherwise the amount so paid shall be allowed in payment of the stumpage on final settlement.

SECT. 7. The surveyors or scalers shall be appointed by the land agent, and shall be sworn to the faithful discharge of their duty; they shall scale all timber cut under permits granted, as aforesaid, superintend the cutting of the same, and make return to the land agent of the number and quality of the logs cut, whether hauled or not, and the number of feet board measure, and shall see that the timber be cut clean, and without strip or waste.

[Approved March 19, 1860.]

### Chapter 184.

An act additional to "an act to regulate the fisheries on the Kennebec river" approved April four, eighteen hundred fifty-nine.

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

Wardens to  
examine dams.—may pre-  
scribe fishways,  
after notice and  
hearing.Fishway,  
description of.—how to be  
made and kept  
open.—penalty for  
neglect to  
make, as  
ordered.

SECT. 1. Said wardens under the act to which this is additional shall from time to time examine all dams or structures in the Kennebec river and its tributaries in which salmon, shad and alewives abound, and after notice in writing to one or more of the parties interested and a hearing thereon, shall decide what would be a suitable fishway or passage through, over or by such dam or structure, consulting as far as practicable the convenience and safety thereof, prescribe such fishway or passage as they shall judge suitable and sufficient, not exceeding one foot in width to fifteen of the width of the river or stream at the place of the dam or structure, and give written notice thereof to some owner or occupant requiring the fishway to be made, according to said description without delay or within a specified time; so that the same shall be kept open from the first day of May to the fifteenth of July of each year for the passage of fish.

SECT. 2. If any fishway or passage directed to be made by said wardens is not made satisfactory to said board by the time specified in the order of notice given by said board to said owners or