

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

Ninety-fifth Legislature

OF THE

STATE OF MAINE

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PUBLIC LAWS

OF THE

STATE OF MAINE

As Passed by the Ninety-fifth Legislature

1951

Chapter 298

AN ACT Relating to Prospecting for Minerals and Metals.

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

Sec. 1. R. S., c. 36, § 1, amended. The 1st sentence of section 1 of chapter 36 of the revised statutes is hereby amended to read as follows:

'The Maine mining bureau, as heretofore established, shall consist of 5 members, one each from the state department of agriculture and the forestry department, each of whom shall be appointed by the head of his respective department, ~~and~~ the deputy secretary of state, the executive director of the Maine development commission and the state geologist.'

Sec. 2. R. S., c. 36, § 6, amended. Section 6 of chapter 36 of the revised statutes is hereby amended to read as follows:

'Sec. 6. Location of claim. The location or record of any claim shall be construed to include all surface ground within the surface lines thereof, and all ledges throughout their entire depth, but shall not include any portion of such ledges beyond the end and side lines of the claim or timber and grass. The claim shall in no way interfere with harvesting timber until actual mining operations are being carried on.'

Sec. 3. R. S., c. 36, §§ 12-14, additional. Chapter 36 of the revised statutes is hereby amended by adding thereto 3 new sections to be numbered 12 to 14, inclusive, to read as follows:

'Sec. 12. Authority to prospect. Any citizen of the state may enter upon state-owned land, including lands held in trust, when the trust is such as to be consistent with mineral developments, on receipt of a permit from the Maine mining bureau, and may enter upon all unfenced and unimproved land held in private ownership, on written receipt of permission from the owner thereof, for the purpose of prospecting for any valuable minerals and metals. Such written consent shall be recorded in the county where the discovery is made generally in the same form as deeds of real estate under seal and acknowledged and recorded. The said prospectors shall be liable in an action on the case for any and all damages caused to the property by the entry and prospecting.

Sec. 13. Procedure after discovery of a deposit. After 30 days from the effective date of sections 12 to 14, inclusive, and within 30 days after discovery of any deposits, the prospector shall give written notice thereof to the Maine mining bureau, describing particularly the nature and situation of the deposit, and the date of discovery, and shall also record the

discovery in the manner provided in section 5 for recording claims in the registry of deeds in the county where the discovery was made. After giving such notices and making the recording the prospector shall notify the owner of the land.

Sec. 14. Prospector to have vested interest. The discovery of a deposit, and the filing and recording and giving notice, as required by section 13, shall vest in the prospector, his heirs and assigns an interest in the deposits to the extent of 5%, unless otherwise agreed, of the net profits derived by any person, firm or corporation who shall mine the deposit. This claim shall expire in 20 years from date of filing of claim unless a new agreement is made.'

Effective August 20, 1951

Chapter 299

AN ACT Relating to Fees for Boiler Inspection and Certificates.

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

R. S., c. 25, § 59, amended. The 1st sentence of section 59 of chapter 25 of the revised statutes, as amended by section 2 of chapter 277 of the public laws of 1947, is hereby further amended to read as follows:

'Each steam boiler used or proposed to be used within this state, except boilers exempt under the provisions of section 64, shall be thoroughly inspected internally and externally while not under pressure by the chief inspector or by one of the deputy inspectors or special inspectors provided for herein, as to its design, construction, installation, condition and operation; and if it shall be found to be suitable and to conform to the rules of the board of boiler rules, upon payment by the owner or user of such a boiler of the sum of ~~\$1~~ \$2 to the chief inspector, the latter shall issue to such owner or user an inspection certificate for each such boiler.'

Effective August 20, 1951

Chapter 300

AN ACT Relating to Guides' Qualifications, License and License Revocation.

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

Sec. 1. R. S., c. 33, § 27, amended. Section 27 of chapter 33 of the revised statutes, as revised, is hereby amended to read as follows:

'Sec. 27. Guides shall be licensed by commissioner; must furnish such