

MAINE STATE LEGISLATURE

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DOCUMENTS

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THE LEGISLATURE

OF THE

STATE OF MAINE.

1861.



AUGUSTA:
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1861.

FORTIETH LEGISLATURE.

SENATE.

No. 17.

STATE OF MAINE.

IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED AND
SIXTY-ONE.

AN ACT to regulate the scale of logs on the sale thereof
on the Penobscot river and its branches.

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

SECTION 1. The sale of all pine, spruce and hemlock
2 logs on the Penobscot river and its branches, shall be
3 by the piece, or at the full scale. Said full scale to
4 be obtained by the use of one of the scale rules now
5 used on said river known as the A. H. Norton or
6 Charles T. Holland rule, by measuring the length of
7 each stick and its diameter at the top, the fractions of
8 a foot in length and of an inch in diameter being re-

9 jected if less than one-half, and taken as a full foot or
10 inch if over half, and if the stick be twenty-seven feet
11 or less in length, taking the figures given by said rule
12 corresponding to such length and diameter for the con-
13 tents of said stick, and if the stick be over twenty-seven
14 and not over forty feet long scaling it in two logs of
15 equal length, or if it be an odd number giving the odd
16 foot to the top log, and if the stick be not over thirty
17 feet taking the butt log to be one inch in diameter
18 larger than the top; if it be over thirty feet taking the
19 butt log to be two inches larger in diameter; and if
20 the stick be over forty feet long then scaling it in as
21 many twenty feet logs as it will make, leaving the
22 shorter log at the butt, and allowing two inches increase
23 of diameter for every twenty feet; and not making in
24 any case any allowance or deduction for any defects
25 or crooks in said stick. And the scaler shall state in
26 his certificate the number of sticks and the number of
27 feet they make, and that the scale is at the full size,
28 and according to the provisions of this act. But this
29 act shall not apply to the scale of standing timber, or
30 to what is known as the woods or stumpage scale; nor
31 shall it prevent the sale of any logs at the woods scale;
32 nor shall it prevent any person from having logs exam-
33 ined or scaled in any mode he pleases, not putting any

34 scale mark thereon, for the purpose of forming his own
35 opinion of the value of the logs at said full scale.

SECT. 2. Every scaler before scaling any of the logs
2 specified in the first section of this act, shall make oath
3 before a justice of the peace that he will scale and make
4 his certificate thereof truly and faithfully according to
5 the provisions of this act.

SECT. 3. Any person scaling, selling or purchasing
2 any logs contrary to the provisions of this act shall
3 forfeit the sum of one dollar per thousand feet for all
4 logs so sold, scaled or bought, to be recovered in an
5 action of debt in any court proper to try the same, or
6 by indictment before the supreme judicial court, one-
7 half to the use of the county of Penobscot and the other
8 half to the use of the person who shall sue or prosecute
9 for the same ; and in such suit or prosecution against
10 the buyer or seller it shall be incumbent on him to prove
11 that the logs sold or purchased by him were scaled ac-
12 cording to law.

SECT. 4. This act shall apply only to logs intended
2 to be manufactured at mills on or near the Penobscot
3 river at and below Oldtown on the main river, and
4 Pushaw falls on the Stillwater branch.

STATE OF MAINE.

IN SENATE, Feb. 13, 1861.

Reported by Mr. HOPKINS from the Committee on Slate Lands and State Roads, and on motion of the same Senator laid on the table and 350 copies ordered to be printed for the use of the Legislature.

JAMES M. LINCOLN, *Secretary.*