

CHAPTER XXVIII.

An Act to amend Title three, of Chapter thirty-two, of General Laws, relating to the survey of logs and lumber. March 6, 1871.

- SECTION 1. Amendment to Section eleven (11), Title three (8), Chapter thirty-two, (82), General Statutes. Duties of Surveyors.
2. Amendment to Section seventeen (17), Title three (8), Chapter thirty-two (32), General Statutes Books of Record.
3. Amendment to Section four (4) and five (5), Title two (2), Chapter thirty-two (32), General Statutes.
4. Number of established districts.
5. Limits of Districts.
4. Amendment to Section nineteen, (17), Title three (8), Chapter thirty-two (32), General Statutes. Authorized to transfer log mark.
5. When act to take effect.

Be it enacted by the Legislature of the State of Minnesota :

SECTION 1. That section eleven, of title three, of chapter thirty two, be, and is hereby amended to read as follows :

The surveyor general, by himself or his deputy, at the request of the owner of any logs, timber, or lumber, or of any sheriff, coroner or constable, who has replevied, attached or levied on any logs, timber, or lumber, or of any person who has a written order from the owner, for the delivery of any logs, timber or lumber, to repair to any part of his district and survey such logs, timber, or lumber, and upon completing such survey to make out a true and correct scale bill thereof, stating the person by whom, the time when, and place where such logs, timber or lumber was scaled, at whose request and to whom scaled, if to any one, and the scale mark placed thereon, the number of logs, and when requested by the owner or any other person controlling the same, the number of pieces of logs or timber, together with the mark or marks

Duties of surveyors.

thereon, and the number of feet therein contained, and shall sign the same, and thereupon he shall record such bill in the books of his office, and upon being paid his fees for such services, he shall deliver the original bill to the person to whom the logs, timber or lumber is scaled, if any; if not, then to the person requesting the survey; and such bill and the record thereof, shall each be *prima facie* evidence of the facts therein stated. No surveyor general or deputy surveyor shall in person survey any logs, timber or lumber owned wholly or in part by himself, but either may survey any such logs, timber or lumber, owned wholly or in part by the other, provided that where logs which have been cut in any lumber district in this state have been run out of said district, it shall be lawful for the surveyor general of the district in which said logs were cut, when requested so to do as above provided, to scale said logs, by himself or deputy, and record the scale bill thereof in the books of his office, and said scale and record thereof shall be received as of the same degree of evidence as if the same had been done in his own proper district.

SEC. 2. Section seventeen, subdivision four, is amended to read as follows:

A book, to be kept in ledger form, in which shall be posted and recorded as soon as any logs or timber is surveyed, separately and under their respective marks, all the logs and timber of each particular mark surveyed, together with the date of scale, the number of logs and the number of pieces of timber, when said number of pieces of timber are scaled in accordance with section one of this act, to whom scaled, and the number of feet, which book shall be kept posted up so that it shall show on the last day of each month during the running season, the matters above stated concerning each mark of logs scaled, during said month. And the surveyor general shall make and deliver to any person authorized to demand the same, a certified transcript of said record, as to any mark or marks of logs or timber, upon being paid the fees prescribed in section sixteen of this act, and the sum of twenty-five cents for his certificate of the same, and an index of the names and marks contained in each of said books, shall also be kept. Any books of the description before named, which have been kept in the office of any such surveyor general, and which belong to said office, are hereby declared to be the records of said office

and to have and be of the same validity, force and effect as if the same had been kept by express authority of law. All the books of record hereinbefore mentioned and authorized to be kept in the office of any surveyor general, are hereby declared to be public records, and of as high degree of evidence as the original instruments therein recorded, and shall in all courts and places in this state be taken and held to be *prima facie* evidence of the matters therein stated; and such books shall not be removed from the surveyor general's office, except for use as evidence in court in the town, city, or county where such office is situated. A copy of any matter or thing of record in such office, certified under the hand of the surveyor general, or his deputy, to be a correct transcript from the records in such office, shall be received and read in any court of this state as of the same degree of evidence, and with the same force and effect as the original instrument or record.

SEC. 3. That sections four and five of title two of chapter thirty-two be, and the same are hereby amended so as to read as follows:

Sec. 4. There are established six districts for the purpose of the survey and measurement of logs, lumber, and timber within this state. Number of established districts

Sec. 5. The St. Croix lake and river and their tributaries constitute the first district. The Mississippi river and its tributaries above the mouth of the St. Croix lake and the Red river and its tributaries, constitute the second district. The Mississippi river and its tributaries between the mouth of St. Croix lake and the outlet of lake Pepin, constitute the third district. The Mississippi river and its tributaries below the outlet of lake Pepin to the southern line of Wabasha county, constitute the fourth district. The bay of Superior, St. Louis river and their tributaries constitute the fifth district. The Mississippi river and its tributaries from the southern line of Wabasha county to the southern line of the state of Minnesota, constitute the sixth district. Limits of districts.

SEC. 4. Section nineteen, of title three is amended by adding the following words to the end of said section: *Provided*, that the surveyor general is authorized to transfer in his discretion any log mark to any person wishing to use the same, after said log mark has been recorded eight years, and the logs marked with that mark have become extinct. Authorized to transfer log marks.

When act to take effect.

SEC. 5. This act shall take effect and be in force from and after its passage.

Approved March 6, 1871.

CHAPTER XXIX.

March 6, 1871.

An Act to procure returns from Agricultural Societies in the State of Minnesota, which are receiving State aid.

SECTION 1. Duty of Executive Committee of State Agricultural Society—duty of Governor—
forfeiture of fund in case of failure to make report.

2. Duty of Secretary of Society.

3. Repeal of inconsistent acts.

Be it enacted by the Legislature of the State of Minnesota :

Duty of executive committee—
duty of Governor—
forfeiture of funds, when.

SECTION 1. It shall be the duty of the executive committee of the Minnesota State Agricultural Society, as also of each county agricultural society, to keep a correct account of the manner of expenditure of the sums of money received from the state (in pursuance of an act approved February twenty-seventh, one thousand eight hundred and sixty-eight, being an act to appropriate money to agricultural societies) and transmit a certified copy of said account, signed by the president and secretary of said society, to the governor of this state, on or before the first day of January in each year, to be laid by him before the legislature. *Provided*, That a failure to make the required report of the disbursements of the fund received, for one year, shall make a forfeiture of the share of the fund which the defaulting society would otherwise have been entitled to for the year succeeding.

Duty of secretary.

SEC. 2. It shall be the duty of the secretary of the Minnesota State Agricultural Society on or before the first day of November in each year, to transmit to the secretary of each county agricultural society, appropriate blanks for making the returns required by section one of this act,