90.21 PERMITS TO CUT AND REMOVE TIMBER

HISTORY. 1919 c 488 s 1; 1925 c 276 s 17; 1937 c 368 s 3.

90.215 PRESERVATION AND PROTECTION OF TIMBERED AREAS

The preference of lumber and timber management for state rather than federal control of timber cutting regulations, together with the well known need for conservation of standing timber and encouragement of timber growth, led to the passage of Laws 1943, Chapter 290. 31 MLR 44.

The provisions of a statute regulating logging operations and prohibiting the cutting of oak trees with stump diameters of less than ten inches did not render illegal the vendor's cutting and taking of oak trees including some of less than such diameter from land sold for a custom manufacture of wagon poles, sleds and farm machinery in the vendor's woodworking shop, under reservation of the sale contract of the right to cut and remove oak trees large enough to run through the saw mill and make timbers. Karger v Wangerin, 230 M 110, 40 NW(2d) 846.

90.22 SURETY BONDS BY TIMBER PURCHASERS

Right of subrogated insurer to recover under the Federal Tort Claims Act. 32 MLR 846.

90.35 TIMBER UNLAWFULLY CUT OR REMOVED FROM STATE LANDS; POSSESSION AND SALE

Laws 1885, an act to establish a penal code approved March 9, 1885, effective January 1, 1886, abolished the common law as it relates to crimes, and from and since January 1, 1886, no act or omission is deemed criminal or punishable except as prescribed by statute. Sections 622.05 to 622.07 define and designate the degrees and prescribe the punishment for larceny. A wilful trespass performed in the unlawful entry and cutting and removing of standing timber from the land is deemed larceny. Section 90.35 prohibits the unlawful taking of timber from the lands of that state. Section 621.25 defines the crime of unlawful taking of timber and prescribes a punishment. Apparently prosecution may be had under any of the above quoted sections. Treble damages are now provided for the cutting and carrying out of timber from the lands of another under sections 548.05 and 561.04. OAG April 5, 1948 (133-B-64).

CHAPTER 91

LOGS AND LUMBER

91.01 SURVEYOR GENERAL

HISTORY. 1858 c 80 s 11 s 1, 6; 1858 c 80 s 1 s 3-6; 1861 c 51 s 3; 1862 c 74 s 1; 1863 c 22 s 1; 1868 c 42 s 2; 1871 c 28 s 1; 1874 c 77 s 1; 1874 c 81 s 1; 1877 c 18 s 1; 1881 c 64 s 2; Ex1881 c 45 s 1; 1885 c 11 s 1; 1903 c 346 s 1; 1919 c 440 s 1; 1949 c 739 s 24; 1951 c 713 s 12.

91.05 ACTUAL EXPENSE, PAYMENT

HISTORY. 1919 c 440 s 5; 1951 c 662 s 2.

91.08 ALLOWANCE FOR DEFECTS; RECORD

HISTORY. 1858 c 80 t 2 s 2; 1878 c 19 s 1.

91.09 POSTING SCALES; SCRIBNER'S RULE

HISTORY. 1858 c 80 t 2 s 3.

91.11   TRANSFER OF LOGS; SCALE BILL; DELIVERY

HISTORY.   1858 c 80 t 2 s 7; 1862 c 74 s 4.

91.12   RECORDING

HISTORY.   1858 c 80 t 2 s 8, 9; 1862 c 74 s 5, 6; 1877 c 18 s 3; 1903 c 346 s 3.

91.13   BOOKS OF RECORD; EVIDENCE

HISTORY.   1858 c 80 t 2 s 9, 11; 1862 c 74 s 6; 1877 c 18 s 3.

91.14   TRANSFERS; RECORD AND EFFECT

HISTORY.   1858 c 80 t 2 s 13; 1862 c 74 s 8.

91.15   INVALID WITHOUT RECORD; CERTIFICATES AS EVIDENCE

HISTORY.   1858 c 80 t 2 s 11, 14; 1862 c 74 s 9; 1871 c 28 s 4.

91.16   RECORDS OF LOG MARKS; EFFECT

HISTORY.   1858 c 80 t 2 s 12; 1862 c 74 s 7; 1875 c 82 s 1.

91.19   TRANSFERS; LOGS, WHEN DEEMED ABANDONED

HISTORY.   1858 c 80 t 2 s 12; 1862 c 74 s 7; 1875 c 82 s 1.

91.20   STEALING LOGS; CHANGING MARKS

HISTORY.   1858 c 80 t 2 s 17; 1895 c 35, 36.

91.21   RECEIVER LIKEWISE GUILTY

HISTORY.   1858 c 80 t 2 s 4.

91.22   FALSIFYING SCALE BILL

HISTORY.   1895 c 344.

91.23   SIDE BOOMS

HISTORY.   1858 c 80 t 2 s 16; 1862 c 74 s 10; 1885 c 104 s 1.

91.24   WILFULLY INJURING BOOMS

HISTORY.   1858 c 80 t 2 s 16; 1862 c 74 s 10; 1885 c 104 s 2.

LANDS AND MINERALS

CHAPTER 92

SALES OF LANDS, INVESTMENT OF PROCEEDS

92.03   MINIMUM PRICE OF LANDS

HISTORY.   1862 c 62 s 7; 1863 c 12 s 1; 1868 c 55 s 1; 1877 c 56 s 2; 1885 c 102 s 2; 1895 c 163 s 8; 1917 c 76 s 1; 1919 c 258 s 1.