

Surveyor passing
Lumber contrary
to this Act, to be
liable for damages.

Changing articles
submitted for sur-
vey.

Penalty.

Neglect, partiality,
&c.

Penalty.

Specification of
Merchantable
Square Timber.

[Girt for measure-
ment.]

Specification of
Pine or Spruce Logs
for the manufacture
of Deal.

of the said three Surveyors, or any two of them, shall be final and conclusive; and should the original Survey be confirmed, then and in such case the person requiring said re-survey shall pay the expense thereof; and should the said original survey not be confirmed, then and in such case the expenses of the said re-survey shall be paid by the person requiring such re-survey, who shall and is hereby authorized to recover the same again from the first Surveyor; Provided also, that if any Surveyor shall pass any article of Lumber contrary to the provisions of this Act, such Surveyor so offending shall be liable to the party injured for all damages sustained by him or them, and be subject to the following penalties, namely: For every forty cubic feet of Timber so passed, the sum of two shillings and six pence; for every thousand superficial feet of Plank, Deals, Boards or Scantling, the sum of five shillings; for every thousand superficial feet of Saw Logs, the sum of two shillings and six pence; for every Spar, the sum of one shilling; for every thousand Shingles, the sum of two shillings and six pence; for every thousand Staves, five shillings; for every cord of Lathwood, two shillings and six pence: and if any Surveyor appointed under this Act, shall at any time wilfully change any article of Lumber submitted to him for inspection or to be surveyed, by substituting any other article of Lumber, he shall, upon due conviction thereof, incur a penalty not exceeding fifty pounds, nor less than five pounds, to be recovered as hereinafter prescribed in the twelfth section of this Act; Provided also, that if any Surveyor shall at any time be found guilty of wilful neglect of duty, or of partiality in the execution of his office, or of wilfully giving a false account of the article or articles submitted to him for inspection, the conviction for any such offence shall be deemed and taken to be a dismissal from his office as Surveyor, and be incapable for re-appointment for ever after.

III. And be it enacted, That all Square Timber, except Red Pine, shall not be less than ten inches square nor shorter than sixteen feet, except White Pine Timber over sixteen inches square, and Hardwood over twelve inches square, which may be twelve feet long, to be squared and smoothly hewed, and free from knotty tops, plugs, rots, rotten or concase knots, decayed sap or worm holes, to be square butted, and the taper not to exceed one inch for every eighteen feet in length, the wane not to exceed one inch on each and every corner where the square is under sixteen inches, and from sixteen to twenty inches square on each and every corner two inches wane, and from twenty one inches square and upwards three inches wane on each and every corner; and in order to ascertain the contents of such Timber, the Surveyor shall girt or measure the same at the middle of the stick, and the difference of the squares between any two of the sides shall not exceed two inches; and no Log shall have a sweep unless it has two straight sides, and such sweep shall not exceed the rate of five inches to every forty feet in length; Provided nevertheless, that all Pine Timber over sixteen inches square, smoothly hewed and free from the defects aforesaid, shall be deemed merchantable if over twelve feet long.

IV. And be it enacted, That in the Survey of Pine or Spruce Logs, the following regulations shall be observed by the Surveyors: Logs for the manufacture of Deals shall be twelve feet long and upwards, and not less than eleven inches in diameter, to have an allowance of from six to nine inches in the length, to permit the Deals when sawed to be trimmed, to be sound, free from bad shakes, auger or plug holes, crooked gum seam or seams, ring or bowl shakes, rot, bad knots, and worm holes: all Logs of twenty six feet long and upwards shall be measured in two lengths, an adequate allowance to be made by the Surveyor on all crooked Logs, the diameter at the small end exclusive of bark, to be taken as the diameter for ascertaining the contents; and the Surveyor shall mark or scribe on all Logs surveyed by him the superficial contents of each Log, with his private mark and the initials of the name of the purchaser of such Logs.