

HOUSE No. 898

Bill accompanying the recommendations of the State Forester. Agriculture. January 15.

The Commonwealth of Massachusetts.

In the Year One Thousand Nine Hundred and Nineteen.

AN ACT

Relative to the Disposal of Slash or Brush following Wood or Lumber Operations.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Every owner, lessee, tenant or occupant
2 of land or of any right or interest therein, who cuts or
3 permits the cutting of brush, wood or timber on land
4 which borders upon woodland or upon a highway or rail-
5 road location, shall dispose of slash and debris caused by
6 such cutting in such a manner that the same shall not
7 remain on the ground within one hundred feet of any
8 wood land, highway or railroad location.

1 SECTION 2. When any owner, lessee, tenant or occu-
2 pant of land or of any right or interest therein shall have
3 failed to dispose of slash and debris as provided by the
4 preceding section within sixty days from the time of such

5 cutting, the state fire warden shall cause such slash and
 6 debris to be disposed of. He shall pay the expense of so
 7 disposing of such slash and debris from any funds at his
 8 disposal and he or his successor in office shall be entitled
 9 to recover double the amount of such expenditure in an
 10 action of tort to be brought by the attorney general
 11 against the person whose duty it was to dispose of such
 12 slash and debris; and there shall be a lien on the land on
 13 which the cutting of the forest growth took place, to se-
 14 cure any judgment recovered in such action, to be en-
 15 forced by attachment in said action, made within six
 16 months after such expenditures were made. The sum
 17 recovered and collected in such action shall be returned to
 18 and become a part of the fund from which the expendi-
 19 tures were made: *provided, however,* that any person
 20 cutting brush, wood or timber during the winter, after
 21 November first, shall have until May first following, to
 22 remove such slash and debris.

1 SECTION 3. This act shall take effect on the first day
 2 of July, nineteen hundred and nineteen.