

CHAPTER 536

TIMBER AND LUMBER

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536.13 Stamp or brand for logs.—Any person engaged in this state in the business of getting out, buying, selling, or manufacturing saw logs, may adopt a stamp or brand for such logs, of such design as he may select.

History.—s. 1, ch. 4738, 1899; GS 1256; RGS 2393; CGL 3802.

536.14 Brands to be recorded by clerk of circuit court.—A person may execute a written declaration that he has adopted a brand, describing it, and after acknowledgment of such declaration before any officer authorized to take acknowledgments of deeds, may have the same recorded by the clerk of the circuit court in the record of mortgages, in any county in which he may desire to own or have in possession saw logs.

History.—s. 2, ch. 4738, 1899; GS 1257; RGS 2394; CGL 3803.

536.15 May prevent use by others.—Any person who has had his brand recorded in any county, may prevent other persons from using the same in said county by a writ of injunction, restraining such use.

History.—s. 4, ch. 4738, 1899; GS 1258; RGS 2395; CGL 3804.

536.16 Prima facie evidence of ownership.—Any log found in any county branded with a brand recorded in said county by any person shall be deemed prima facie to be the property of such person.

History.—s. 5, ch. 4738, 1899; GS 1259; RGS 2396; CGL 3805.

536.17 Where two or more brands the same.—In case there shall be recorded in the same county two or more brands the same, or substantially the same, the brand first recorded shall be the lawful brand, and the other shall be of no effect under this chapter.

History.—s. 6, ch. 4738, 1899; GS 1260; RGS 2397; CGL 3806.

536.18 Defacing the mark or brand of lumber and timber.—If any person shall fraudulently alter, change or deface the duly recorded mark, brand, or stamp of any lumber, logs or timber, or shall fraudulently mark, brand or stamp any unmarked or unstamped or unbranded lumber, logs or timber, with intent to claim the same or to prevent identification by the owner or owners thereof, the person so offending shall be punished as if he had committed larceny of the same property.

History.—s. 1, ch. 4191, 1893; GS 3708; RGS 5659; CGL 7862.

536.19 Unlawful use of recorded log brand or stamp.—Any person who shall unlawfully use any rec-

orded log brand or stamp of another shall be guilty of a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

History.—s. 3, ch. 4738, 1899; GS 3709; RGS 5660; CGL 7863; s. 525, ch. 71-136.

536.20 Inspection, buying or selling timber by illegal standard; penalty.—Any person buying or selling logs or square timber by any other measure or scale than Doyle's Rule and Log Book, or any timber inspector willfully making return of any inspection scale or measurement of timber except according to said book, shall be guilty of a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083; provided, when it is mutually agreed between the buyer and the seller, a measure or scale other than Doyle's Rule Book may be adopted and a survey can be made by a party other than a commissioned inspector.

History.—RS 2720, 2721; ss. 4, 5, ch. 3898, 1889; GS 3710; RGS 5661; CGL 7864; s. 526, ch. 71-136.

536.21 Inspection certificate; false or missing classification; penalty.—Any commissioned timber inspector or other person furnishing specifications or certificates of inspection of sawed pine timber in this state, who shall falsely represent, or fail to show on such specification or certificate, the classification of such timber by law, shall be guilty of a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

History.—s. 6, ch. 4415, 1895; GS 3711; RGS 5662; CGL 7865; s. 527, ch. 71-136.

536.22 Lumber, moisture content; enforcement.—

(1) All lumber 2 inches or less in thickness shall contain not more than 19 percent moisture content at the time such lumber is permanently installed into a structure or building used for human habitation. Such lumber shall at no time be less than American lumber standard sizes when such lumber is at 19 percent moisture content.

(2) It shall be the duty of every state attorney and sheriff, the Department of Agriculture and Consumer Services or its duly authorized representative, and any other appropriate state and county official to enforce the provisions of this section. The aforementioned officials are authorized to make application for injunction to the proper circuit court and the judge of said court shall have jurisdiction upon hearing and for cause shown to grant a temporary or permanent injunction or both restraining any person from violating or continuing to violate any of the provisions of this section or from failing or refusing to comply with the requirements of this section, said injunction to issue without bond.

(3) The installation of any lumber which does not conform to the provisions contained in subsection (1) shall be prohibited and any person installing such lumber in a structure or building for human habitation shall be guilty of a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

History.—ss. 1, 2, ch. 61-209; s. 1, ch. 63-359; ss. 14, 35, ch. 69-106; s. 528, ch. 71-136; s. 26, ch. 73-334.