

§ 4. The proprietors must perform, or hire others to perform at their expense, the fixed fellings, plantings, and other improvements, according to more detailed instructions from the administrators; and should the forest officer find it necessary to send his own workmen to carry out his orders, the proprietors are responsible for their wages.

§ 5. The proprietors have further, in proportion to the necessity and according to more detailed instructions from the administrators, to make the necessary arrangements for the protection and preservation of the forests. They have also, if their revenue permit, and if the extent of the forest is proportional to the outlay, to employ an overseer solely for that purpose.

Where the forest is small, and if the circumstances admit of it, the proprietors of two or more forests can employ such an official conjointly. The overseers are under the orders and supervision of the Government forest officer, who has to make the necessary provision and regulations for the protection of the forest, and who, although not obliged to, has the right of enforcing such regulations himself.

§ 6. The proprietors can keep the accounts, but the forest officer is obliged to keep the memoranda of felling, &c., and the register of the workmen's wages.

§ 7. The forest proprietors must pay yearly the sum of one groschen* pro morgen† (1·85 of a penny per acre) of forest land to the Government as a contribution to the salary of the administering forest officer. There are no other payments for the management of the forest required. The transactions entailed in consequence of this law between the different authorities are free of all expense to the proprietors.

The manner in which the above law was to be carried out was determined on the 26th of July, 1859, by the joint orders of the Minister of the Interior and the Minister of Finance, and it may be exemplified by the following data received from the Oberforster Kohler, of Nienburg, who has about 5,000 morgens of village forests attached to his revier.

The Oberforster, or executive officer in charge of a district, to whom the administration is given, after he has inspected the forest, accompanied by the representatives of the villagers, and explained to them what he intends doing, has to draw up a plan of the cutting and planting in September for the ensuing year. The plan is then laid before the Forstmeister, or inspecting officer in charge of a forest division, for revision, and after this has taken place it is handed back again to the Oberforster, with any necessary alterations and remarks. After the receipt of the approved plan, the Oberforster holds another consultation with the deputation from the villagers.

The Oberforster has to keep a protocol or record of the proceedings at this consultation, which, when there are no alterations desired in the plan by the representatives, is drawn up in the manner shown at the end of this paper. The matter is herewith settled and the plan ready to be carried out. Should, however, the representatives make objections to the plan proposed, such objections are to be noted down in the protocol and sent to the Forstmeister for revival. Should the Forstmeister think fit, he can talk over the matter with the representatives in the forest itself, and he should have regard to their desires as far as he can do so without damaging the forest.

If the Forstmeister permits the alterations, or if they are withdrawn by the representatives, the former has to acquaint the Oberforster of the fact, in order that he can proceed to carry out the plan.

In the event of the Forstmeister being of opinion that the desired alterations deserve no attention, or if the representatives refuse to withdraw them, the Forstmeister must either—

- (1.) In the event of the representatives not having requested a conference, with the co-operation of the civil sub-district officer, which they are entitled to do, lay the plans for decision before the chief civil officer of the district; or,
- (2.) Hand them to the sub-district officer, should the representatives have requested such a conference.

In the latter case, the sub-district officer, conjointly with the Forstmeister, fixes a day on which to settle the matter, notice of which must be given to the representatives. Should the latter fail to put in their appearance, the sub-district officer and Forstmeister send without delay a joint report of the circumstance to the district officer, for his decision in the matter. In the event of the representatives appearing, the plan and proposed alterations are to be discussed, and both the sub-district officer and the Forstmeister should do their utmost to bring about an agreement. If, however, they find this impossible, a record of the proceedings, together with a joint report, is to be sent to the district officer.

The district officer has to communicate his verdict to the representatives through the sub-district officer, and the latter has also to notify it to the Forstmeister.

A further appeal to the Minister of the Interior against the verdict of the district officer must be sent, together with the grounds for the appeal, within twenty days after the receipt of the decision, to the Forstmeister for transmission.

After the receipt of the decision of the Minister of the Interior, or after the expiration of the term for appeal, the Forstmeister has again, after having made the necessary alterations, if any have been determined upon, to send the plan to the Oberforster for execution.

The plan, having thus been finally settled (no alterations whatever can now be made without the sanction of the Forstmeister), is to be at once carried out, and a copy of it sent to the representatives.

The Oberforster or one of his forsters, if he care to entrust him, must give the overseer or workmen the necessary instructions regarding the felling and planting, &c. He must especially mark out the extent of the felling, check the work done as much as possible, provide for the timely and proper execution of the same, and, if it is desired, assist the representatives to value the wood.

Only good and skilled workmen are to be employed, and the Oberforster has the power, in the event of useless or idle workmen being engaged, to dismiss them and demand that the representatives provide more capable men. If this is not immediately complied with, the Oberforster can, without more ado, send qualified men himself to do the work, and the proprietors are responsible for their wages.

The proprietors are bound to comply with the forest regulations: in the event of non-compliance the Forstmeister has the power to threaten with punishment, and when necessary give weight to this threat by inflicting a fine not exceeding 50 thalers (£7 10s.)

* One groschen = 1·2 of a penny. † One morgen = 0·6477 of an acre.