

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

FIFTY-THIRD LEGISLATURE

OF THE

STATE OF MAINE.

1874.

Published by the Secretary of State, agreeably to Resolves of June 28, 1820,
February 28, 1840, and March, 16, 1842.

A U G U S T A :

SPRAGUE, OWEN & NASH, PRINTERS TO THE STATE.

1874.

PUBLIC LAWS

OF THE

STATE OF MAINE.

1874.

CHAP. 209.

Chapter 209.

An act to amend section forty-nine of chapter eighty of the revised statutes, relating to sheriffs, officers and constables.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:

Sec. 49, ch. 80, R.
S., amendment of.

Section forty-nine of chapter eighty of the revised statutes is hereby amended by inserting after the words "qualified officer," in the fourth line of said section, the following words: 'and if any officer aforesaid has made, in fact, any service, attachment or levy by virtue of any process placed in his hands for service, and who by reason of death, disqualification or other cause, has not made his return upon said process, a return upon said process shall be made by a sheriff, any deputy of his, or other proper officer, under the direction of a judge of the supreme judicial court, holden in and for the county where said writ is returnable, the facts to be set forth by said officer in said return, to be proven to the satisfaction of said judge,' so that said section as amended shall read as follows:

Execution of pre-
cepts commenced,
when officer be-
comes disquali-
fied.

'SECT. 49. If any officer aforesaid, who has commenced the service or execution of a precept, by death or otherwise becomes disqualified to complete it, it may be completed, with the same legal effect, by any other qualified officer; and if any officer aforesaid has made, in fact, any service, attachment or levy, by virtue of any process placed in his hands for service, and who by reason of death, disqualification or other cause, has not made his return upon said process, a return upon said process shall be made by a sheriff, any deputy of his, or other proper officer, under the direction of a judge of the supreme judicial court, holden in and for the county where said writ is returnable, the facts to be set forth by said officer in said return, to be proven to the satisfaction of said judge; or if a deputy sheriff dies after he has served and returned a precept, the sheriff, if alive, and if not, any deputy in commission at the time of such service, may be allowed by the court to amend such return the same as the officer who made it might, but the rights of third parties shall not be affected thereby.'

Returns, how
made.

—may be amend-
ed.

Approved February 28, 1874.

Chapter 210.

An act for the better protection of lobsters in the waters of Maine.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:

Lobsters, the
taking of, at

SECT. 1. No person shall catch, preserve, sell or expose for sale within the limits of the State of Maine, any lobsters between the

first day of August and the fifteenth day of October, of each year; and from the said fifteenth day of October to the first day of April next following of each year, no lobster shall be so caught, preserved, sold or exposed for sale, under ten and one half inches in length, measuring from one extreme of the body to the other, exclusive of claws or feelers; but from the said first day of April to the said first day of August of each year, there shall be no such restriction, nor any restriction, as to time or size, in the taking, preserving, selling or exposing for sale such fish.

CHAP. 211.
certain times,
prohibited.

—may be taken
between first days
of April and
August.

SECT. 2. Any person violating any provision of the above section, shall be punished by a fine of ten dollars for every such lobster so caught, used, sold or exposed for sale, as aforesaid, one half to the person making the complaint, and one-half to the use of the town in which the offense is committed.

Penalty for
violation.

SECT. 3. All acts or parts of acts, inconsistent with this act, and especially chapter twenty of the public laws of this State, approved February twentieth, in the year of our Lord eighteen hundred and seventy-two, are hereby repealed.

Inconsistent acts
repealed.

Approved March 3, 1874.

Chapter 211.

An act to supply the people of the towns of Brunswick and Topsham and of the city of Bath with pure water.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:

SECT. 1. Charles J. Gilman, Benjamin Green, Leonard D. Shepley, Charles C. Humphreys, Edwin Reed and Samuel D. Bailey, with their associates and successors, are hereby made a corporation by the name of the Pejepscot Water Company, for the purpose of conveying to the towns of Brunswick and Topsham and the city of Bath a supply of pure water for domestic and municipal purposes, including the extinguishment of fires, the supply of shipping and the use of manufacturing establishments.

Corporators.

Corporate name.
Purposes.

SECT. 2. Said corporation may hold real and personal estate necessary and convenient for the purposes aforesaid, not exceeding in amount five hundred thousand dollars.

Corporation may
hold real and
personal estate.

SECT. 3. Said corporation is hereby authorized, for the purposes aforesaid, to take and hold the water of the Androscoggin river, and may take and hold, by purchase or otherwise, any land or real estate necessary for erecting and maintaining dams and reservoirs, and for laying and maintaining aqueducts for conducting, discharging, distributing and disposing of water and for forming reservoirs thereof.

—authorized to
take and hold
water, land, &c.