

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

SIXTY-FIFTH LEGISLATURE

OF THE

STATE OF MAINE.

1891.

Published by the Secretary of State, agreeably to Resolves of June 28, 1820,
February 18, 1840, and March 16, 1842.

AUGUSTA:
BURLEIGH & FLYNT, PRINTERS TO THE STATE.
1891.

PUBLIC LAWS
OF THE
STATE OF MAINE.

1891.

Chapter 85.

An Act for the enforcement of the laws for the protection of the Lobster Fisheries.

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

Lobsters seized under provisions of law, shall be appraised and sold.

SECT. 1. When any lobsters are seized by virtue of the provisions of any law of this state for the protection of the lobster fisheries, it shall be the duty of the officer making such seizure to cause such lobsters, so seized, as he is not required by law to liberate, to be appraised within twenty-four hours after the time of such seizure by three disinterested men residing in the county where such seizure is made, to be selected by him, and the lobsters so seized and appraised shall thereupon be sold by the officer making the seizure thereof, at such time and in such manner as shall by him be deemed proper.

Officer making seizure shall file libel setting forth fact, etc.

SECT. 2. The officer making such seizure and sale shall, within ten days after the time of such seizure, file a libel in behalf of the state before a trial justice, or a judge of a police or municipal court of the county in which such seizure was made, setting forth the fact of such seizure, appraisal and sale, the time and place of seizure, the number of lobsters so seized and sold, and the amount of the proceeds of such sale ; and such trial justice or judge shall appoint a time and place for the hearing on such libel and shall issue a notice of the same to all persons interested to appear at the time and place appointed, and show cause why the lobsters so seized and sold, and the proceeds of such sale should not be declared forfeited, which notice shall be served upon the owner, if known and by causing an attested copy of such libel and notice to be posted in two public and conspicuous places in the county in which the seizure was made, seven days at least, before the time of hearing.

—hearing shall be given owner.

How proceeds shall be disposed of.

SECT. 3. If any person appears at the time and place of hearing and claims that the lobsters so seized and sold were not liable to forfeiture at the time of seizure, and that he was entitled thereto, the trial justice or judge shall hear and determine the cause, and if he shall decide that such lobsters at the time of seizure were not liable to forfeiture and that the claimant was entitled thereto, he shall order the proceeds of such sale to be paid to the claimant ; if no claimant shall

appear, or if such trial justice or judge shall decide that such lobsters, at the time of seizure, were not liable to forfeiture, or that the claimant was not entitled thereto, he shall decree a forfeiture of such lobsters and of the proceeds of sale, and shall order the proceeds of sale, after deducting all lawful charges, to be disposed of as required by law, and shall render judgment against the claimant for costs to be taxed as in civil suits, and issue execution therefor against him, in favor of the state, which costs when collected, shall be paid into the treasurer of the county.

SECT. 4. The claimant shall have the right of appeal to the next supreme judicial court or superior court in the county, upon recognizing and paying the fees for copies and entry as in cases of appeal in criminal cases.

Claimant may appeal.

SECT. 5. The fees and costs of seizure, appraisal and sale, and in all other proceedings in the case, shall be as provided by law in criminal cases, and, in case a forfeiture shall be declared, shall be paid out of the proceeds of sale, otherwise shall be paid by the county as in criminal cases.

Fees and costs, how paid.

SECT. 6. This act shall take effect when approved.

Approved March 21, 1891.

Chapter 86.

An Act to provide for the preservation of the Washington county records of deeds in the Aroostook Registry.

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

SECT. 1. The register of deeds of the Aroostook registry district of Aroostook county is hereby authorized to make copies in suitable volumes for preservation in the Aroostook registry, of the five volumes of Washington county records of deeds now in said registry, and of the certificates of the records thereof.

Register of deeds, Aroostook county, authorized to make certain copies.

SECT. 2. The copy of each deed or instrument recorded in said five volumes, and of the certificate of the record thereof shall be attested by said register as a true copy from the Washington county records of deeds in the Aroostook registry, and copies of the record of such copies and certificates

Shall be attested.