
FORTY-SEVENTH LEGISLATURE.

SENATE.

No. 27.

STATE OF MAINE.

IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED AND SIXTY-EIGHT.

AN ACT to regulate certain fisheries.

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

SECTION 1. Any person who shall use any weir, 2 trap, seine or net, other than a dip-net, for taking any 3 kind of fish in any other than tide waters, except as 4 hereinafter provided, shall be punished by a fine of 5 not more than fifty nor less than ten dollars, and shall 6 forfeit all implements so unlawfully used, and all boats 7 employed in said unlawful fishery.

SECT. 2. Any person who shall take or kill any 2 trout, salmon, togue or white fish, during the months 3 of October, November and December, except as here- 4 inafter provided, shall be punished by a fine of not

5 more than thirty nor less than ten dollars, and two
6 dollars for each fish taken or killed, and shall forfeit
7 all implements so unlawfully used.

SECT. 3. Any person who shall knowingly sell, offer for
2 sale, or have in his possession, any fish taken in viola-
3 tion of this act, shall be punished by a fine of twenty
4 dollars.

SECT. 4. Any person who shall introduce, by means
2 of the living fish or the spawn, any mascallonge, pick-
3 erel, pike, sunfish or bream, yellow perch or black
4 bass, to any waters where they do not now exist, ex-
5 cept as hereinafter provided, shall be punished by a
6 fine of one hundred dollars.

SECT. 5. Any person who shall, previous to the year
2 eighteen hundred seventy-three, take any salmon,
3 shad, alewives, herring or gaspereaux, in those por-
4 tions of the Androscoggin, Kennebec, Penobscot and
5 Saint Croix rivers, and their tributaries, lying above
6 a point one half mile below the lower dam on each of
7 the said rivers, or shall, during the same time, and
8 within the same limits, use any trap, net, or any other
9 contrivance, for taking the above fish, shall be punish-
10 ed by a fine of not more than fifty nor less than ten
11 dollars for each offence ; and a further fine of ten dol-
12 lars for each salmon, five dollars for each shad, and

13 one dollar for each alewife, herring or gaspereau so
14 taken, and shall forfeit all boats and implements so
15 unlawfully used.

SECT. 6. No provisions of this or any other act shall
2 prevent the commissioners or other officers under chap-
3 ter seventy-eight of the resolves of eighteen hundred
4 sixty-seven, entitled "resolve relative to the restora-
5 tion of sea fish to the rivers and inland waters of
6 Maine," or any act or resolve pursuant thereto, taking
7 fish or causing them to be taken in any manner and at
8 any time, for scientific purposes, or for the purpose of
9 breeding and dissemination, or introducing or causing
10 to be introduced any fish to any waters they may see
11 fit; nor shall this act conflict with any rights granted
12 to any parties who are engaged in the cultivation of
13 fish; nor shall the first and second sections hereof
14 apply to the waters of the Saint John river and its
15 tributaries; nor shall the second section apply to the
16 capture of the blueback trout in Franklin and Oxford
17 counties.

SECT. 7. All penalties and forfeitures provided for
2 in this act may be recovered by complaint, indictment
3 or action of debt, before any competent tribunal; and
4 in cases where the offence is committed in any river
5 or stream forming a boundary between two counties,

6 or in any lake or pond lying partly in two or more
7 counties, the action may be brought in either county ;
8 one half of all fines recovered shall be paid to the per-
9 son prosecuting or suing therefor.

STATE OF MAINE.

IN SENATE, February 15, 1868.

Reported by Mr. HOUGHTON, from the Committee on Fisheries, and printed under Joint Rule.

THOMAS P. CLEAVES, *Secretary.*