

MAINE STATE LEGISLATURE

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FORTY-EIGHTH LEGISLATURE.

SENATE.

No. 13.

STATE OF MAINE.

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

AN ACT to regulate the taking of porgies or menhaden
in the waters of Maine.

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

SECTION 1. No person shall set or use any seine
2 within three miles of the shore in any waters of this
3 state, for the purpose of taking menhaden or porgies
4 under a penalty of not less than one hundred nor more
5 than five hundred dollars, and the forfeiture of all
6 vessels, boats, craft and apparatus employed in such
7 unlawful fishing, for each offence; but a net of no
8 more than one hundred and forty meshes deep shall
9 not be deemed a seine.

SECT. 2. Any person who shall cast or deposit, or
2 cause to be thrown or deposited, into any of the navi-
3 gable waters of this state, any pumice, scraps or other

4 offal, arising from the making of oil or slivers for bait
5 from menhaden or herring, shall pay a fine of not less
6 than fifty nor more than one thousand dollars for each
7 offence.

SECT. 3. All vessels, boats, crafts and apparatus
2 of any kind, employed in violation of any of the pro-
3 visions of this act, shall be liable for any fines and
4 cost ; and it shall be lawful for any person or persons
5 to seize and detain said property, not exceeding thirty-
6 six hours, that the same may be attached by due pro-
7 cess of law to satisfy any judgment that may be ren-
8 dered in the suit.

SECT. 4. All penalties and forfeitures named in this
2 act, may be recovered in an action of debt, in the name
3 and to the use of the county, or in the name of any
4 person suing therefor, one-half of such fine and for-
5 feiture to be paid to the person prosecuting and the
6 other half to the county where the offence is com-
7 mitted.

SECT. 5. All acts and parts of acts inconsistent with
2 this act are hereby repealed.

SECT. 6. This act shall take effect when approved
2 by the governor.

STATE OF MAINE.

In SENATE, February 5, 1869.

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

THOMAS P. CLEAVES, *Secretary.*