

MAINE STATE LEGISLATURE

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FIFTY-FIRST LEGISLATURE.

SENATE.

No. 49.

STATE OF MAINE.

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

AN ACT to amend sections twenty-five, thirty-one and thirty-six of chapter forty of the revised statutes.

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

SECTION 1. Section twenty-five of chapter forty of
2 the revised statutes is hereby amended by striking out
3 all of said section after word “ printed,” and inserting
4 in the place so stricken out the following, to wit : ‘He
5 or they shall receive a salary of one thousand dollars
6 per year and travelling and other expenses necessarily
7 incurred in connection with his or their duties, which
8 shall be audited and cause to be paid by the governor
9 and council; and it shall be his or their duty to see that
10 all violations of the fish laws of the state are duly pros-

11 ecutted,' so that said section as amended shall read as
12 follows, to wit :

13 *Sect. 25.* The governor with the advice of the coun-
14 cil shall appoint one or two persons as they may think
15 best, to be commissioners of fisheries, who shall hold
16 office for three years unless sooner removed, and have
17 a general supervision of the fisheries, regulated by the
18 preceding and following sections. He or they shall
19 examine dams and other obstructions existing in all
20 rivers and streams in the state, and determine the ne-
21 cessity of fishways and the location, form and capacity
22 thereof, shall visit those sections where fisheries regu-
23 lated by this chapter are carried on, and examine into
24 the working of the laws ; shall introduce and dissem-
25 inate valuable species of fish into the streams and ponds
27 of this state where they do not exist, and perform all
28 other duties prescribed by law. He or they shall re-
29 port annually on or before the thirty-first day of De-
30 cember, to the governor, who shall cause three thou-
31 sand copies of each report to be printed. He or they
32 shall receive one thousand dollars and travelling and
33 other expenses necessarily incurred in connection with
34 his or their duties, which shall be audited by the gov-
35 ernor and council, and it shall be his or their duty to
36 see that all violations of the fish laws of the state are
37 duly prosecuted.

SECT. 2. Section thirty-one of said chapter is
2 amended by striking out the word "one" in the last
3 line and inserting the word 'two' in its place, so that
4 said section amended shall read as follows, to wit:

5 *Sect. 31.* The governor with the advice of the coun-
6 cil, shall appoint fish wardens wherever the same may
7 be necessary, who shall enforce the provisions of all
8 public laws relating to fisheries; and shall have all the
9 powers given to fish wardens by the following section.
10 Each person so appointed shall hold office three years
11 unless sooner removed, and his pay shall be fixed by
12 the governor and council, who shall audit his accounts
13 and cause the same to be paid from the state treasury:
14 *provided*, that the total amount paid to all the wardens
15 shall not exceed fifteen hundred dollars annually.

SECT. 3. . Section thirty-six of said chapter is hereby
2 amended by striking out the words "two" and "one"
3 in the second line of said section and by inserting word
4 'five' in the place of each of said words, so that as
5 amended it shall read as follows:

6 *Sect. 36.* No salmon, shad, alewives or other migra-
7 tory fish shall be taken within five hundred yards of
8 any fishway or within five hundred yards of any dam
9 or mill-race, nor shall any structure or implement ex-
10 cept single hook and line be used for taking any fish
11 within the above limits, between the first day of April

12 and the first day of November, without the written
13 permission of the wardens of the district in which it is
14 situated, and approved by the commissioner of fisheries,
15 nor shall hook and line be used within fifty yards of
16 any fishway. The penalty for the violation of this
17 section shall be a fine of not more than fifty nor less
18 than ten dollars for each offence, and a further fine of
19 of ten dollars for each salmon, one dollar for each shad
20 and twenty cents for each alewife so taken.

STATE OF MAINE.

IN SENATE, February 14, 1872.

Reported from Committee on Fisheries, by Mr. FLETCHER,
and laid over to be printed under the Joint Rule.

SAMUEL W. LANE, *Secretary.*