

MAINE STATE LEGISLATURE

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FIFTY-THIRD LEGISLATURE.

SENATE.

No. 22.

STATE OF MAINE.

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

AN ACT to amend section forty-seven of chapter forty of
the revised statutes.

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

SECTION 1. That section forty-seven of chapter forty
2 of the revised statutes, is hereby amended by striking
3 out all after the word "fish," in the third line, and in-
4 serting in place thereof, the following : ' Any officer
5 may, on view, appropriate, without process of law, to
6 his own use or gift, all implements used in illegal fish-
7 ing, and any land-locked salmon, trout, or togue,
8 found within the limits of this state, during the
9 months of October, November, and December, of each
10 year. But any person claiming the same may, by
11 petition setting forth the nature of the claim, within

12 one month after such seizure, to a court of competent
13 jurisdiction, nearest the place where such fish or im-
14 plements were seized, and duly served upon the person
15 so seizing, by order of such court, directing him to
16 appear before said court at a time and place desig-
17 nated in such notice, recover said property ; *provided*,
18 the court shall be satisfied that the same legally be-
19 longs to the claimant, and not received into his pos-
20 session, or purchased contrary to any of the provi-
21 sions of this chapter, or in violation of the law of any
22 other state, and may decree a return thereof. But in
23 no event shall the person seizing the same be subjected
24 to cost or to any civil or criminal action for so doing.’
25 So that said section, as amended, shall read as fol-
26 lows :

27 *Sect. 47.* Any fish warden, constable, or police
28 officer, may seize any implement used in illegal fish-
29 ing, and may render any weir, built or maintained
30 contrary to law, incapable of taking fish. Any officer
31 may, on view, appropriate, without process of law, to
32 his own use or gift, all implements used in illegal fish-
33 ing, and any land-locked salmon, trout, or togue,
34 found within the limits of this state, during the
35 months of October, November, and December of each
36 year. But any person claiming the same may, by
37 petition setting forth the nature of the claim, within

38 one month after such seizure, to a court of competent
39 jurisdiction, nearest the place where such fish or im-
40 plements were seized, and duly served upon the per-
41 son so seizing, by order of such court, directing him
42 to appear before said court at a time and place desig-
43 nated in such notice, recover said property ; *provided*,
44 the court shall be satisfied that the same legally be-
45 longed to the claimant, and not received into his pos-
46 session, or purchased contrary to any of the provi-
47 sions of this chapter, or in violation of the law of any
48 other state, and may decree a return thereof. But in
49 no event shall the person seizing the same be subjected
50 to cost or to any civil or criminal action for so doing.

SECT. 2. All acts and parts of acts inconsistent
2 herewith, are hereby repealed.

STATE OF MAINE.

IN SENATE, February 7, 1874.

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

SAMUEL W. LANE, *Secretary.*