

MAINE STATE LEGISLATURE

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Fifty-Seventh Legislature.

SENATE.

No. 19.

STATE OF MAINE.

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

[S. 46.] AN ACT for the protection of smelts in Bagaduce river and tributaries, in the county of Hancock.

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

SECTION 1. Whoever takes or catches any smelt or
2 smelts with a net of any kind, or in any other manner
3 than by naturally or artificially baited hooks and hand-
4 lines, from Bagaduce river, in the county of Hancock,
5 or any of its tributaries, shall forfeit for each smelt so
6 caught or taken, the sum of one dollar.

SECT. 2. The mayor and aldermen of any city, the
2 selectmen of any town, and all fish wardens, police
3 officers and constables, within the county of Hancock,
4 shall cause the provisions of this act to be enforced

5 within their respective towns and cities ; and all for-
6 feitures and penalties for violation of the provisions of
7 this act, shall be paid, one-half to the person making
8 the complaint, and one-half to the city or town in
9 which the offence is committed ; and all boats, nets
10 or implements of any kind used in taking smelts con-
11 trary to the provisions of this act, shall be deemed
12 forfeit and contraband and sold upon judgment of the
13 court, and paid over as above, one-half to complain-
14 ant and one-half to the use of the town wherein the
15 offence is committed.

SECT. 3. Any complainant may seize on view and
2 appropriate to his own use or gift, any fish taken or
3 possessed in violation of this act.

SECT. 4. All penalties imposed under the provisions
2 of this act, may be recovered with costs of suit by
3 any person or persons in his or their own name, before
4 any municipal or police court, or trial justice, in the
5 county of Hancock, or where the defendant resides, or
6 in the supreme court of the state. On the non-pay-
7 ment of the penalty, the defendant shall be committed
8 to the common jail of the county, for a period of not
9 less than ten days, and at the rate of one day for each
10 dollar of the amount of judgment.

SECT. 5. This act shall take effect when approved.

STATE OF MAINE.

IN SENATE, January 31, 1878.

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

SAMUEL W. LANE, *Secretary.*