

MAINE STATE LEGISLATURE

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NEW DRAFT.

SEVENTY-FIFTH LEGISLATURE

SENATE

NO. 134

In Senate, Feb. 27, 1911.

*Reported by Mr. Mayo from Committee on Shore Fisheries
and ordered printed under joint rules.*

W. C. HANSON, Secretary.

STATE OF MAINE

IN THE YEAR OF OUR LORD ONE THOUSAND NINE
HUNDRED AND ELEVEN.

AN ACT to amend chapter four of the Revised Statutes in re-
lation to the erection of wharves and fish weirs.

Be it enacted by the People of the State of Maine, as follows:

Section 1. Section ninety-six of chapter four of the Re-
vised Statutes is hereby amended by substituting a comma in
place of the period at the end of said section and adding
thereto the following: 'The applicant for license to build or
extend a fish weir as aforesaid, first giving bond to the town,
without sureties, in the sum of one hundred dollars, condi-
tioned that upon the termination of such license he shall re-
move all stakes and brush from the location therein de-
scribed,' so the said section as amended shall read as fol-
lows:

'Sect. 96. Any person intending to build or extend any
12 wharf or fish weir in tide waters, within the limits of any
13 city or town, may apply in writing to the municipal officers
14 thereof, stating the location, limits and boundaries, as nearly
15 as may be, of such intended erection or extension, and ask-
16 ing license therefor. Upon receiving such application said
17 officers shall give at least three days' public notice thereof,
18 and shall therein designate a day on which they shall
19 meet on or near the premises described, and examine the
20 same. If upon such examination and hearing of all parties
21 interested, said officers decide that such erection or exten-
22 sion would not be an obstruction to navigation, or an injury
23 to the rights of others, and determine to allow the same, they
24 shall issue a license under their hands to the applicant au-
25 thorizing him to make said erection or extension, and to
26 maintain the same within the limits mentioned in such li-
27 cense, the applicant for license to build or extend a fish weir
28 as aforesaid first giving bond to the town, without sureties,
29 in the sum of \$100, conditioned that upon the termination of
30 such license he shall remove all stakes and brush from the
31 location therein described.'

Sect. 2. The license for the building or extension of a fish
2 weir issued under the provisions of the foregoing section
3 shall terminate and become void unless such weir shall be
4 built within one year from the date of the license and main-
5 tained and operated in good faith for some part of each year
6 thereafter.

Sect. 3. Section 99 of said chapter four is hereby amended
2 so that said section as amended shall read as follows:

‘Sect. 99. No fish weir or wharf shall be extended, erected,
4 or maintained except in accordance with this chapter; and no
5 fish weir or wharf shall be erected or maintained in tide wa-
6 ters below low water mark in front of the shore or flats of
7 another without the owners consent, under a penalty of fifty
8 dollars for each offence, to be recovered in an action of debt
9 by the owner of said shore or flats. This chapter applies to
10 all herring weirs, but does not apply to other weirs, the ma-
11 terial of which are chiefly removed annually, provided that
12 such weirs do not obstruct navigation nor interfere with the
13 rights of others.

This section shall not affect any wharves so erected or main-
15 tained on the twenty-first day of April, nineteen hundred
16 one.’