

MAINE STATE LEGISLATURE

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L A W S

OF THE

S T A T E O F M A I N E ;

TO WHICH ARE PREFIXED

THE

C O N S T I T U T I O N O F T H E U . S T A T E S

AND OF SAID STATE,

IN TWO VOLUMES,

W I T H A N A P P E N D I X .

.....
VOL. II.
.....

Published according to a resolve of the State, passed
March 8, 1821.

BRUNSWICK.

Printed by J. Griffin, for the State.

.....
1821.

Pilots of such, liable to same penalties, &c. damage, and subject to the same penalties for their unskilfulness or neglect, that they would have been, if the same vessels had been bound into any of the ports aforesaid: and to the intent that a suitable check may be had upon the pilots aforesaid, and that they may be excited to a due vigilance in the discharge of the duties assigned them:

Governor and Council to decide on complaints against pilots.

SEC. 6. *Be it further enacted*, That the Governor and Council be, and they hereby are empowered to hear and determine all complaints exhibited against the said pilots for mal-conduct in the premises, and to suspend or remove them at their discretion, and to appoint others in their room, laying the reasons therefor before the Legislature at the next session after such suspension or removal.

[Approved February 24, 1821.]

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CHAPTER CLXXVIII.

An Act to regulate the Herring Fishery.

Herrings not to be taken between March 1, and Sep. 1.

SEC. 1. *BE it enacted by the Senate and House of Representatives, in Legislature assembled*, That no person shall take any fish called English herrings, within the waters of this State, between the first day of March and the first day of September in each year, for the purpose of pickling or smoking the same.

What nets may be used.

SEC. 2. *Be it further enacted*, That no net having meshes less than seven eighths of an inch square shall be used for taking herrings for the purpose of pickling or smoking the same.

Size of nets on board fishing vessels.

SEC. 3. *Be it further enacted*, That no more than sixty yards of nets in length and five yards in width for each fisherman employed on board of any fishing vessel, shall be carried or used, in any such vessel, for the purpose of taking herrings, and no one vessel shall carry or use more than three hundred yards in length, at any one time, for the purpose of taking herrings:

No nets to be set across streams, but lengthwise.

SEC. 4. *Be it further enacted*, That no person shall set or place any net crosswise of any river, stream, harbour, creek or cove, within this State; but all nets shall be set or placed lengthwise of the river, stream, harbour, creek or

cove, in which such nets shall be set or placed for the purpose of taking herrings.

SEC. 5. *Be it further enacted*, That it shall not be lawful for any person to take herrings within any river, stream, harbour, creek or cove, within this State, between sun-set on Saturday night, and sun-rise on Monday morning in each week, for the purpose of pickling or smoking the same.

Herrings not to be taken between sun-set on Saturday night and sunrise Monday morning.

SEC. 6. *Be it further enacted*, That no person other than a citizen of this State shall set or place any net, seine, wear or other machine in any of the rivers, streams, creeks, harbours, inlets or coves in this State for the purpose of taking salmon, shad, herrings or alewives.

None but citizens of this State to set seine or place wear to catch salmon.

SEC. 7. *Be it further enacted*, That no person shall drive herrings in the night time, with lamps, torches, fires or other lights, for the purpose of taking them with dip nets or any other machine: *Provided*, This section shall go into operation in the waters eastward of Penobscot river after the expiration of two years from the passing of this Act, and not before.

Herrings not to be driven in night time, with lamps, torches, &c.

SEC. 8. *Be it further enacted*, That any person who shall violate any provision of this Act, shall forfeit and pay, for each and every such offence, a fine not exceeding fifty, nor less than five dollars, to be recovered in an action of debt in any Court proper to try the same, by and for the use of the person, who shall prosecute therefor.

Penalties, and how recovered.

[Approved March 19, 1821.]

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CHAPTER CLXXIX.

An Act for the preservation of certain Fish.

SEC. 1 **BE** *it enacted by the Senate and House of Representatives, in Legislature assembled*, That it shall not be lawful for any person to take any of the fish, called pickerel or trout, in any of the ponds, rivers or streams within this State, with spears in the night time, or by shooting them at any time; and every person offending, contrary to the true intent of this Act, upon conviction thereof, before any Justice of the Peace, shall pay a fine of fifty cents for each and every pickerel or trout so taken, to and for the use of the person who shall sue for the same.

Penalty for killing pickerel in night by spearing, or shooting at any time.