

MAINE STATE LEGISLATURE

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PRIVATE ACTS

OF THE

STATE OF MAINE,

PASSED BY THE LEGISLATURE,

AT THEIR SESSIONS,

HELD IN

JUNE, 1820, AND JANUARY, 1821.

Published agreeably to a Resolve of June 28, 1820.

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1821.

CHAPTER LXXXI.

AN ACT to regulate the Fishery of Alwives in the town of Mount Desert.

SECT. 1. *BE it enacted by the Senate and House of Representatives in Legislature assembled,* That from and after the passing of this act, no person shall catch any Alwives in the brooks of the town of Mount Desert on any other days than Mondays and Thursdays, nor shall any person catch any of said fish in such part of said brooks, as may be more than twenty rods distant from high water mark, nor in such part of said brooks as may be less than two rods from high water mark; nor shall any person catch any of said fish near the mouths of said brooks within one hundred and twenty rods from and below high water mark, under penalty of twenty dollars for each offence.

Days on which fish may be taken.

In what places fish may be taken.

Penalty.

SECT. 2. *Be it further enacted,* That the owners or occupants of such dams as now are or hereafter may be erected across any of the brooks in said town, shall allow sufficient water passage round, through or over such dams for the passage of alwives in the season of their going up or down said brooks, under penalty of fifty dollars for each offence; the sufficiency of such water passage to be determined by the fish wardens of said town, elected at the annual meeting for the choice of town officers.

Owners of dams to keep a passage way open for fish.

Penalty.

Fish wardens to be chosen.

SECT. 3. *Be it further enacted,* That all penalties incurred under this act, may be sued for and recovered in an action of debt by the Treasurer of Mount Desert, for the time being, before any competent tribunal within the county, and all sums so recovered, shall be appropriated to the use of said town.

Penalties how recovered.

[*This Act passed March 19, 1821.*]

CHAPTER LXXXII.

AN ACT to cede to the United States the jurisdiction of sites for Light Houses.

SECT. 1. *BE it enacted by the Senate and House of Representatives, in Legislature assembled,* That the United States may purchase, or take as hereinafter provided, any tracts of land which shall be found necessary and convenient for the light houses, authorized by Congress to be erected on the following sites, to wit: one on Cross Island, near Machias; one in the harbor of Boothbay, at such place as the Secretary of the Treasury shall designate; and one on Pond Island at the mouth of Kennebec river; and during the continuance of

United States may purchase certain scites for light houses,

and have concurrent jurisdiction with this State.

the use and appropriation aforesaid, the jurisdiction of such tracts of land, not exceeding ten acres for each light house, shall be, and hereby is ceded to the United States, saving and providing always that all civil and criminal processes issued under the authority of this State, shall have full force and effect within the said tracts of land, and any buildings which shall be there erected : this cession of jurisdiction notwithstanding.

If the agent of United States cannot agree with the owners for the price,

SECT. 2. *Be it further enacted,* That if the agent or person employed for the United States and the owner, or owners of any tract or tracts of land which shall be found necessary, and convenient for said light houses, cannot agree in the sale and purchase thereof, such agent or person may apply to any Court of Sessions, which shall be holden within and for the county wherein such land lies, who shall appoint a committee of three disinterested freeholders to determine what sum is a just equivalent to the owner or owners of such land, which committee shall be sworn by some Justice of the Peace, for the faithful performance of their trust, and shall forthwith proceed to view, set off, and appraise, such tract or tracts of land, and shall make return of their doings to the same Court, and the amount of such appraisement, being paid to the owner or owners of the land appraised, and set off by such committee, or if the owner or owners shall not appear or shall refuse to receive the same, the money shall be paid to such person or corporation for the use of such owner or owners, as the Court shall direct; the tract or tracts of land so set off shall be vested in the United States, and may be taken, possessed, and appropriated for the uses aforesaid: *Provided,* That all charges of such application and appraisement shall be paid by the United States.

the Court of Sessions may appoint a committee to appraise the land,

and the amount being paid by the United States the land shall be set off by the committee.

[*This Act passed March 19, 1821.*]

CHAPTER LXXXIII.

AN ACT to incorporate the Trustees of the School and Ministerial Fund in the town of Canton.

Persons incorporated.

SECT. 1. *BE it enacted by the Senate and House of Representatives in Legislature assembled,* That Abiathar Austin, Joel Howard, Joseph Holland, Gustavus Hayford, Alanson Cary, Daniel Austin and John Hearsey, be, and they hereby are appointed Trustees of the School and Ministerial Fund in the town of Canton, and that they be, and hereby are incorporated into a body politic, by the name of the Trustees of the School and Ministerial Fund, in the town of Canton;