

# MAINE STATE LEGISLATURE

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# PRIVATE ACTS

OF THE

# STATE OF MAINE,

PASSED BY THE

# LEGISLATURE,

AT ITS SESSION, JANUARY, 1822.

PUBLISHED AGREEABLY TO THE RESOLVE OF JUNE 28, 1820.

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PORTLAND :

ABRAHAM W. THAYER, PRINTER TO THE STATE,

1822.

ing future meetings, and what number of them shall be a quorum to transact the business.

[This Act passed February 6, 1822.]

## CHAPTER CXXX.

AN ACT to regulate the taking of Fish in Dyer's River.

SECT. 1. **BE** it enacted by the Senate and House of Representatives, in Legislature assembled, That the towns of New-Castle and Jefferson, be, and they are hereby respectively empowered, at their annual town meetings, in the month of March or April in each year, to choose a committee of not more than seven nor less than three persons in each town, who shall be sworn to the faithful discharge of their duty; and it shall be their duty to cause the natural course of Dyer's river in their respective towns, to be kept open and free, for the passage of Salmon, Shad and Alewives up said river, from the fifth day of May to the twenty-fifth day of June, in each year; and they shall have power to remove all obstructions which they may find in said river, and to pass over the lands of any person through or by which said river runs, in the discharge of their said duty, without being considered trespassers. And any person, hindering or molesting said committee, or either of them, in the discharge of their or his duty in said office, or who shall obstruct any passage way in said river, during the term aforesaid, he or they so offending, shall forfeit and pay a sum not exceeding twenty dollars nor less than one dollar: *Provided nevertheless*, That nothing in this act shall be so construed as to give the said committee power to injure the proprietors of any lands, mills, or water works, further than is necessary for a good and sufficient passageway for said fish to pass up and down said river.

Towns of New-Castle, and Jefferson empowered to choose a committee;

their duties &c.

Penalty for molesting the committee &c

Proviso.

SECT. 2. *Be it further enacted*, That the inhabitants of said towns, respectively, are hereby authorized and empowered, to take said fish within the limits, to be fixed, by the inhabitants, may take fish on certain days, to be fixed,

cd by the Se- its of their respective towns, three days in each week ;  
 lectmen. and the Selectmen of each of said towns, shall annu-  
 ally, in the month of April, appoint the days in each  
 week for taking said fish, and the place and manner  
 of taking them, and post notifications thereof in some  
 public place, in their respective towns, at least seven  
 days before the said fifth day of May ; and it shall  
 be lawful for the said towns respectively, in legal town  
 meeting, to sell and dispose of the privilege of taking  
 of said fish for any term not exceeding one year, at any  
 one time, to any person or persons, under such res-  
 trictions and regulations as the said towns shall re-  
 spectively direct, and the profits arising from such sale  
 shall be appropriated to such purposes as the inhabi-  
 tants of said towns respectively shall order.

Privilege of  
 taking may be  
 disposed of.

Penalty for  
 taking fish  
 contrary to  
 this act.

SECT. 3. *Be it further enacted,* That if any per-  
 son or persons shall take any Salmon, Shad, or Ale-  
 wives, in said river, contrary to the provisions of this  
 act, they shall severally forfeit and pay for each of-  
 fence a sum not exceeding twenty dollars nor less than  
 one dollar.

Penalties how  
 recovered and  
 to whose use.

SECT. 4. *Be it further enacted,* That all the pen-  
 alties which may be incurred by any breach of this  
 act, shall be recovered by action on the case, before  
 any Justice of the Peace for the county of Lincoln, by  
 any inhabitant of the town wherein the offence shall  
 have been committed, the one half to the use of the  
 said town, and the other half to the use of the per-  
 son, who shall prosecute for the same ; and no person  
 by reason of his being one of the Selectmen, or being  
 one of said committee, or an inhabitant of said town,  
 shall be disqualified from being a witness in any suit  
 or prosecution for any breach of this act.

Former acts  
 repealed.

SECT. 5. *Be it further enacted,* That all acts here-  
 tofore, made, regulating the taking of said fish in said  
 river, be and they are hereby repealed.

[This Act passed February 7, 1822.]