

MAINE STATE LEGISLATURE

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PRIVATE ACTS

OF THE

STATE OF MAINE,

PASSED BY THE

EIGHTH LEGISLATURE,

AT ITS

SESSION HELD IN JANUARY, 1828.

Published agreeably to the Resolve of the 28th June, 1828.

PORTLAND.

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1828.

ponds aforesaid, be, and the same are hereby, repealed.

[Approved by the Governor, February 16, 1828.]

CHAPTER DXXXI.

AN additional ACT respecting the Fishery in the Seven Mile Brook, in Vassalborough.

Persons not authorized to take fish, liable to penalty.

SECT. 1. *Be it enacted by the Senate and House of Representatives, in Legislature assembled,* That if any person or persons other than the Committee appointed by the town of Vassalborough, at their annual meeting, agreeably to the provisions of law, or some person or persons by them employed shall take any salmon, shad, or alewives, in the Seven Mile Brook, so called, in the town of Vassalborough, or shall obstruct or prevent the passage of said fish up said Brook, he or they, so offending, shall forfeit and pay for every such offence, a sum not less than five nor more than twenty dollars.

Owners, &c. of mills, &c. to erect weirs, &c. under penalty.

SECT. 2. *Be it further enacted,* That the owner or owners, occupant or occupants, of any mill or mill dam on said Brook, shall (unless the Selectmen of said town shall deem it inexpedient) be required to erect, keep up and maintain, below their said dam, weirs, racks, or other obstructions and impediments sufficient to prevent said fish from going under the mills, and such impediments shall be so constructed as to direct said fish into the sluice ways; and if any owner or owners, occupant or occupants as aforesaid shall neglect or refuse to erect, keep up and maintain such obstructions as aforesaid, he or they shall forfeit and pay for every day they so neglect, during the season said fish go up to spawn, the sum of ten dollars.

Manner in which penalties may be recovered;

SECT. 3. *Be it further enacted,* That the penalties incurred under the provisions of this Act, may be recovered by complaint on oath to any Justice of the Peace, within and for the county

of Kennebec, (whether an inhabitant of said town of Vassalborough or not,) and such Justice of the Peace shall issue his warrant upon such complaint and shall have power to impose the forfeitures aforesaid as fines, not exceeding twenty dollars; and when said penalties shall exceed twenty dollars, such Justice shall require said offender or offenders to recognize with sufficient surety or sureties for his or their appearance at the next Court of Common Pleas, to be holden within and for said county, to answer to said complainant; and in default of payment of such fine or fines, or neglect or refusal to recognize as aforesaid, to commit such offender or offenders to the common gaol of said county, there to remain until discharged by due course of law. And all fines recovered and paid by virtue of the provisions of this Act, shall be disposed of in the same manner as other penalties incurred on said Brook are by law to be disposed of when recovered on indictment.

SECT. 4. *Be it further enacted,* That said committee of the town of Vassalborough aforesaid, shall have the right to take or cause to be taken, for the term of twenty years from the first day of May last, salmon, shad or alewives, below the lower dam on said Brook, in such manner as they may judge most beneficial to the inhabitants of said town, at any and all times, Sundays excepted, when the fishways through said dam are not required by law to be kept open; and if any person or persons shall wilfully or maliciously impede or obstruct the taking of fish as aforesaid, he or they shall incur a penalty of not less than five or more than twenty dollars for each and every offence, any law to the contrary notwithstanding.

SECT. 5. *Be it further enacted,* That no fish warden, or person or persons by them employed, in the due execution of the laws for the regulation of the fishery in said Brook shall be deemed trespassers for going on to the land of others, for

how disposed of

Powers of the Committee of Vassalborough, in relation to taking fish.

Penalty for obstructing the taking.

Fish wardens, &c. not to be deemed trespassers.

Penalty for molesting fish wardens, &c.

the purpose of enforcing the provisions of law. And if any person or persons shall molest or hinder said fish wardens or other persons by them employed in the execution of the duties of their office, he or they shall be liable to a fine of not less than five nor more than twenty dollars for each offence.

[Approved by the Governor, February 18, 1828.]

CHAPTER DXXXII.

AN ACT to incorporate the Abyssinian Religious Society of Portland.

Persons incorporated.

Powers, &c.

Mayhold estate, &c.

SECT. 1. *Be it enacted by the Senate and House of Representatives, in Legislature assembled,* That Ephraim Small, Titus Skillings, Clement Thompson, John Sigs, and Reuben Ruby, with their associates and successors, be, and hereby are, incorporated into a body politic, by the name of the Abyssinian Religious Society of Portland; with power to sue and be sued; to have a common seal and change the same; to make any by-laws not repugnant to the laws of this State; to take by gift, grant, or purchase, any estate, real or personal, to the amount of ten thousand dollars; and to give, grant, or bargain and sell the same; and shall have all the powers and privileges incident by law to parishes and religious societies.

First meeting, how called.

SECT. 2. *Be it further enacted,* That the first meeting of said corporation shall be holden at such time and place, and be notified in such manner, as the majority of the persons herein named may direct.

[Approved by the Governor, February 18, 1828.]