

MAINE STATE LEGISLATURE

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PRIVATE AND SPECIAL

ACTS

OF THE

STATE OF MAINE,

PASSED BY THE

THIRTEENTH LEGISLATURE,

AT ITS SESSION COMMENCING JANUARY 2, 1833.

PUBLISHED AGREEABLY TO THE RESOLVE OF JUNE 28, 1820.

AUGUSTA:

I. BERRY & CO. PRINTERS TO THE STATE.

1833.

CHAPTER 355.

AN ACT to prevent the destruction of Fish in the town of Sullivan.

Approved February 28, 1833.

Town of Sullivan authorized to choose a Fish Committee, &c.
Their duty.

SECT. 1. *Be it enacted by the Senate and House of Representatives, in Legislature assembled,* That the inhabitants of the town of Sullivan shall, at their annual meeting in March or April, choose a Committee, not exceeding five nor less than three in number, whose duty it shall be, to cause to be kept open, in any river or stream passing through said town, at all places where dams are or may be erected for the passage of alewives, good and sufficient sluice-ways for the passage of said fish through the same; and said sluice-ways shall be under such regulations as said Committee may deem proper, for the interest of said town, subject, at all times, to such restrictions and limitations as said town may in legal meeting impose. And said Committee shall be sworn to the faithful discharge of their duties.

Sluice-ways to be kept open, for passage of Fish, &c.

SECT. 2. *Be it further enacted,* That said sluice-ways shall be kept open for the passage of the fish aforesaid, from the first day of May to the first day of July annually, and from the twentieth day of August to the last day of September annually, unless it may appear to said Committee, during any part of said period, that it may not be necessary that the sluice-ways should be kept open the whole time, in which case the Committee may allow the same to be closed at their discretion.

Said town may at their annual meeting sell the privilege of taking said Fish, &c.

SECT. 3. *Be it further enacted,* That said town may at their annual meeting for the choice of town officers sell and dispose of the privilege of taking fish in said town and establish the price at which said fish shall be sold to the inhabitants of said town or other persons, and may determine what days, not exceeding four in each week, and what portions of said days, it shall be lawful to take fish, and may impose such restrictions as they may think most conducive to the preservation of said fish.

SECT. 4. *Be it further enacted*, That no person shall be allowed to take any alewives, in any streams or waters of said town, on any other days or times than those which may be allowed, under the authority of this Act, by said town, under a penalty of not less than Two Dollars nor more than Twelve Dollars. And if any person or persons shall erect or maintain any dam on the Flanders stream in said town, without leaving a sufficient sluice-way therein for the passage of alewives, as required in the first Section of this Act, he shall forfeit the sum of Fifty Dollars.

Forfeiture incurred by taking said Fish, contrary to the provisions of this Act.

Forfeiture incurred by any person who shall erect a Dam on Flanders Stream without leaving a sufficient sluice-way —&c.

SECT. 5. *Be it further enacted*, That whenever the Committee aforesaid shall, agreeably to the first Section of this Act, be at any expense in making and keeping open any sluice-way for the passage of said fish through any dams or other obstruction, it shall be lawful for said Committee to recover said expense of the owner or occupant of said dam or obstruction, in an action of assumpsit.

Owner or occupant of Dam shall pay the Committee the sum expended by them in making sluice-ways, &c.

SECT. 6. *Be it further enacted*, That all penalties arising under this Act shall be recovered by action of debt to the use of said town of Sullivan.

Penalties under this Act to be recovered by action of Debt.

CHAPTER 356.

AN ACT ceding to the United States Jurisdiction of a lot of land.

Approved February 28, 1833.

Be it enacted by the Senate and House of Representatives, in Legislature assembled, That there be and hereby is ceded to the United States the Jurisdiction of a lot of land in the town of Cape Elizabeth, bounded as follows; viz. Beginning on the Northeasterly line of land which Enoch Dyer and Edward Dyer conveyed to the United States, by their deed dated the twenty fourth day of May one thousand eight hundred and twenty eight, at a stake fourteen rods North-easterly from the Southeasterly corner of said lot before bought, as aforesaid, of said Enoch Dyer and Edward Dyer;

Boundary of said lot.