

MAINE STATE LEGISLATURE

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PUBLIC ACTS

OF THE

STATE OF MAINE,

PASSED BY THE

SEVENTEENTH LEGISLATURE,

JANUARY SESSION, 1837.

PUBLISHED AGREEABLY TO THE RESOLVE OF JUNE 23, 1820.

AUGUSTA:
SMITH & ROBINSON, PRINTERS TO THE STATE.

1837.

into said Pond, each and every such person shall forfeit and pay a fine of three dollars for every Pickerel so taken or destroyed, and all fines arising from a violation of this Act may be recovered by action of debt, one moiety thereof to the use of the town in which the provisions of this Act shall be violated, and the other moiety thereof to any person who may sue for the same.

[Approved by the Governor March 28, 1837.]

Chapter 283.

AN ACT to regulate the Salmon, Shad and Alewife Fishery in the River St. Croix and its branches.

SECTION 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 be allowed to take any Salmon, Shad or Alewives, in the American waters of the river St. Croix with any large net or seine, excepting between sunrise on Monday and sunrise on Friday of each week; nor with spears, scoop nets, set nets, drift nets, or in wears, except between sunrise on Monday and sunrise on Friday of each week, under the penalty of Five Dollars for every Salmon, and Fifty Cents for every Shad and Five Dollars for every barrel or less quantity of Alewives, so taken against the foregoing provisions.

SECT. 2. *Be it further enacted,* That all wears or other obstructions placed in said waters, for the purpose of taking said fish, shall be kept open from sun-rise on Friday, till sunrise on Monday of each week, under a penalty of Fifty Dollars for each offence; and any net or seine that shall be placed in said waters, contrary to the provisions of this

Salmon, Shad and Alewives in the River St. Croix not to be taken excepting between sunrise on Monday and Friday of each week.

Penalty for a breach of this Act.

Wears and other obstructions to be kept open from sunrise on Friday to sunrise on Monday of each week under a penalty of \$5.

Net or seine in certain case to be forfeited.

Act, shall be forfeited to the use of any person or persons who may seize the same.

Towns to choose Fish Committees.

SECT. 3. *Be it further enacted,* That it shall be the duty of each town and plantation of this State adjoining said river at their annual meeting for the choice of town or plantation officers to choose three suitable persons for a Fish Committee who shall be duly sworn, and whose duty it shall be to cause the provisions of this law to be carried into effect ; and if any town or plantation shall neglect to choose said Committee, such town or plantation shall forfeit a sum not less than Twenty Dollars, nor more than Fifty, at the discretion of the Court before whom a conviction shall be had.

Penalty for neglecting to choose.

Fish ways to be made and kept open through mill dams, &c.

SECT. 4. *Be it further enacted,* That there shall be a good and sufficient fish way made and kept open, round, through or over every mill dam across said river and all its branches, where said fish were ever known to pass, by the owners or occupants of the mills on said river ; which shall be four feet wide and twelve inches deep, and kept open at all times between the fifteenth day of May and the twenty fifth day of June in each year ; and if any owner or occupant of such mill or dam, as aforesaid ; shall neglect or refuse to make and keep open such fish way as herein directed, he shall forfeit Two Hundred Dollars for each neglect or refusal.

Penalty for neglect.

SECT. 5. *Be it further enacted,* That hereafter no eel-wears shall be erected on any part of said river, or lake or its branches, either by the citizens or residents of this State or the Indians, so as to stop or impede the passage of the young fish or fry in returning down said river ; and if the fish Committee shall neglect their duty in causing the provisions of this section, and of every part of this Act to be carried into effect, they shall forfeit and pay a sum not less than Five nor more than Twenty Dollars at the discretion of the Court before whom conviction may be had.

No obstructions to be erected to prevent fish from returning down said river.

Penalty if Fish Committee neglect their duty.

SECT. 6. *Be it further enacted,* That it shall be the duty of the Agent or Agents of the State land, or of any person or persons whom they may appoint, to see that all obstructions to the passage of the young fish or fry in returning down the river or its branches, are removed on any of the State's land.

Agent of State's Land to cause obstructions to be removed on any of State's Land.

SECT. 7. *Be it further enacted,* That the penalties imposed in this Act may be sued for and recovered, by action of debt in any Court proper to try the same, by any one of the Fish Committee or persons aforesaid; and the amount recovered shall be appropriated one half to the prosecutor, and the other to the poor of the town or plantation where the offence may be committed; and when any nets may be seized as liable to forfeiture, the same proceedings shall be had as directed in an Act prescribing the mode of recovering forfeitures of personal property liable thereto by law.

Penalties how to be recovered.

Penalties how appropriated.

When nets are seized what proceedings to be had.

[Approved by the Governor March 28, 1837.]

Chapter 284.

AN ACT to regulate the running of Lumber in the Medomak River.

SECTION 1. *Be it enacted by the Senate and House of Representatives, in Legislature assembled,* That any two or more persons with their associates and successors, who now are, or may hereafter become, owners of logs or other lumber, intended to be transported or rafted on the Medomak river, shall have a right to associate for the purpose of running said lumber, on said river; of erecting booms, and piers; breaking jams and clearing any obstructions which may prevent the running of lumber in, and, of building sluices by or over any of the dams on said river; and may take a corporate

Owners of logs on Medomak River authorized to incorporate themselves for running logs, &c.

—erecting booms and piers.
—clearing obstructions.
—building sluices &c. &c.