

MAINE STATE LEGISLATURE

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PUBLIC ACTS

OF THE

STATE OF MAINE,

PASSED BY THE

EIGHTEENTH LEGISLATURE,

JANUARY SESSION, 1838.

Published agreeably to the Resolve of June 28, 1820.

AUGUSTA:
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1838.

Chapter 351.

AN ACT authorizing the inhabitants of the town of Bowdoinham to regulate the taking of fish within the limits of said town.

Inhabitants of Bowdoinham authorized to regulate fisheries in said town.

SECTION 1. *Be it enacted by the Senate and House of Representatives in Legislature assembled, That* the inhabitants of the town of Bowdoinham in the County of Lincoln be, and they hereby are, authorized and empowered to regulate the fisheries in the waters within the limits of said town, in manner following, viz: the said inhabitants may, at any legal meeting, by a major vote of those present, specify and set apart certain days and times in each week, Sundays excepted, for the taking of fish in the waters within the limits of said town, and prohibit the taking of fish in said waters, at any other times than those specified by the vote of said inhabitants, and the said inhabitants shall specify and set apart, at least, two days in each week, Sunday included, on which days said inhabitants shall prohibit all fishing in said waters.

—may prescribe and determine length and size of weirs, &c.

SECT. 2. *Be it further enacted, That* said inhabitants may, at any legal meeting, by vote of a majority of those present, prescribe and determine the length and size of all seines, weirs, pounds, hedges or fish traps, that may be used in taking fish in said waters, and may direct and prescribe the manner and time when, said weirs, pounds, hedges and fish traps shall be kept open and free for fish to pass out of the same: *Provided*, this Act shall not authorize the said inhabitants to extend any weir, pound, hedge or fish trap into said waters below low water mark; and further that they shall not prohibit any person or persons from using nets in the Cathance river of a length not exceeding forty fathoms and such depth as the owner or owners thereof may choose and provided also that said inhabitants shall not impose any greater restraints upon the inhabitants of other towns than upon the inhabitants of Bowdoinham.

Proviso.

SECT. 3. *Be it further enacted, That* if any weir,

pound, hedge or fish trap, shall be extended into said waters or rivers in manner as to obstruct or impede the passage of rafts, boats or vessels in their accustomed course up and down said waters and rivers, the same may be abated as a nuisance in the same way and manner as is pointed out by the existing laws for the abatement of nuisances.

Weirs, pounds, hedges, &c. in certain cases may be abated as nuisances.

SECT. 4. *Be it further enacted,* That each person who may be concerned in taking of fish, at such times as may be prohibited by vote of the inhabitants of said town, or who shall not conform the length, size manner and form of his sein, weir, pound, hedge or fish trap, and keep the same weir, pound, hedge or fish trap open and free for fish to pass out of the same, at such times as may, by vote of the inhabitants of said town of Bowdoinham, be designated; shall be liable to pay a fine of ten dollars with costs of suit, in an action of debt in any court of competent jurisdiction to try the same.

Penalty for violation of this Act. —how recovered.

SECT. 5. *Be it further enacted,* That all laws inconsistent with this Act be and the same hereby are repealed so far as the same may effect the fisheries in the waters within the limits of the town of Bowdoinham.

Former Acts repealed in certain cases.

[Approved by the Governor March 23, 1838.]

Chapter 352.

AN ACT relative to lands forfeited to the State.

SECTION 1. *Be it enacted by the Senate and House of Representatives in Legislature assembled,* That where lands have been sold by this State, and conveyed by conditional deed and the title to the same has become forfeited to the State in consequence of the non-payment of the money or non-performance of the conditions according to such deed the right is hereby given to all such purchasers or to persons claiming

Lands sold by the State and forfeited for non-payment of purchase money, redeemable upon certain conditions in certain cases.