

MAINE STATE LEGISLATURE

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PUBLIC ACTS

OF THE

STATE OF MAINE,

PASSED BY THE

NINETEENTH LEGISLATURE,

JANUARY SESSION, 1839.

PUBLISHED AGREEABLY TO THE RESOLVE OF JUNE 28, 1820.

AUGUSTA:
SMITH & ROBINSON, PRINTERS TO THE STATE.

1839.

respective terms of said Court, if this act had not been passed, shall have day in, and be heard and tried, in their proper Counties, at the terms of said Court by this act established.

SEC. 2. *Be it further enacted*, That the Tuesday of the month, in which the terms aforesaid are respectively to be holden, may, in all judicial proceedings, be expressed and designated, by such Tuesday of the month, as will be the Tuesday of the month, on which the said Court is to be holden.

Mode of designating these terms.

SEC. 3. *Be it further enacted*, That this act shall take effect and be in force from and after its approval by the Governor.

When to take effect.

[Approved by the Governor, March 7, 1839.]

Chapter 381.

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

SEC. 1. *Be it enacted by the Senate and House of Representatives in Legislature assembled*, That any person may take Salmon, Shad and Alewives in the American waters of the River St. Croix with any net, seine, spear, or in weirs between sunrise on Monday and sunrise on Saturday of each week, without incurring any of the penalties, specified in the first section of the act to which this is additional.

Time and manner of taking Fish in the river St. Croix, &c.

SEC. 2. *Be it further enacted*, That there shall be a good and sufficient fishway 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 six feet wide and two and a half feet deep, and kept open at all times between the fifteenth day of May—and the twenty-fifth day of September in each year; and if

Fish-ways to be made and kept open.

any owner or occupant of such mill or dam as aforesaid, shall neglect or refuse to make and keep open such fishway as herein directed, he shall forfeit two hundred dollars for each neglect or refusal.

Parts of former
acts repealed.

SEC. 3. *Be it further enacted*, That the fourth section, and so much of the first section of the act to which this is additional as is inconsistent with this act, be and the same are hereby repealed.

When to take ef-
fect.

SEC. 4. *Be it further enacted*, That this act shall take effect from and after its approval by the Governor.

[Approved by the Governor, March 7, 1839.]

Chapter 382.

AN ADDITIONAL ACT regulating Judicial Process and Proceedings.

Be it enacted by the Senate and House of Representatives, in Legislature assembled, That when a certificate shall issue from the Clerk of any Judicial Court in any other of the United States, certifying that there is a criminal cause pending in such Court, and that a person or persons residing in this State is supposed to be a material witness in such cause, either in behalf of such State or the persons accused, any Justice of the Peace in the County where such necessary witness may reside, on application made to him, shall on the back of such certificate, issue a summons requiring such witness to appear and testify at the Court where such cause may be pending; and if any person so summoned and having tendered to him a sum equal to twelve cents for every mile's travel from the place of such witnesses abode to the Court where the trial may be, and one dollar and fifty cents at the end of every day for such witnesses attendance at the place of

In criminal prosecutions pending in Courts of other States, duty of witnesses residing in this State when summoned to attend.

Powers of Justices of the Peace, &c.

Fees of witnesses.