

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

PASSED BY THE

TWENTY-FOURTH LEGISLATURE

OF THE

S T A T E O F M A I N E ,

A. D. 1844.

Published by the Secretary of State, agreeably to Resolves of June 28, 1820, February 26, 1840, and March 16, 1842.

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1844.

PUBLIC LAWS

OF THE

STATE OF MAINE,

1844.

CHAP. 120.

Chapter 120.

AN ACT for the encouragement of the study of anatomy and physiology.

[*Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:*]

Any physician, surgeon, &c., may use dead bodies.

SECT. 1. Any physician, surgeon or medical student may have in his possession, use or employ, human dead bodies, or parts thereof, for the purpose of anatomical or physiological investigation or instruction: Provided, however, that if it shall be proved, that any such physician, surgeon or medical student has unlawfully come into possession of any such dead body, or part thereof, he shall be liable to all the penalties in the thirty-second section of the one hundred and sixtieth chapter of the revised statutes.

Restrictions.

Same subject.

SECT. 2. Nothing in this act shall be so construed, as to give any surgeon, physician or medical student, any right to obtain any dead body or part thereof, within this state, other than was possessed by them before the passing of this act.

[*Approved March 22, 1844.*]

Chapter 121.

AN ACT for the preservation of shad and other fish in New Meadow's river and tributary streams.

[*Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:*]

Brunswick and West Bath may choose one fish warden each.

How chosen.

Duties.

Vacancies, how filled.

Wardens to be sworn.

Wardens shall appoint deputies.

Deputies shall be sworn.

SECT. 1. The towns of Brunswick and West Bath, are hereby empowered and directed, at their meetings for the choice of town officers, in the month of March or April, annually, to choose by written ballot, one person in each of said towns, to be called a fish warden, who shall be so situated as to be able, with convenience, to detect in the most efficient manner, any breaches of this act; and in case of vacancy by death, resignation, or neglect of either of said towns to choose such fish warden, then the selectmen of the town in which said vacancy may happen, shall forthwith appoint some person to be fish warden; and each person so chosen or appointed shall be sworn faithfully to discharge the duties required of him by this act.

SECT. 2. Said fish wardens shall appoint deputy fish wardens in such places in their respective towns, as they may deem proper, not exceeding three in any town, who shall be sworn to the faithful discharge of the trust, and shall forward a certificate of said oath to the fish warden of his town, within ten days from the time of being notified of his appointment.

SECT. 3. Between the first day of May and the first day of September in each year, no person shall take or destroy in any of said waters, any of the fish aforesaid, either by seines or nets, except between sunrise on Monday and sunrise on Friday, of any week. And any person offending against the provisions of this act, or aiding or abetting therein, shall forfeit and pay for every such offence, the sum of ten dollars.

CHAP. 122.
Limitations for taking fish by seines, &c.

Forfeiture.

SECT. 4. All forfeitures prescribed by this act, shall be recoverable by complaint in behalf of the State, before a justice of the peace for the county of Lincoln or of Cumberland, and such justice is hereby empowered, on conviction, to impose said penalties to an amount not exceeding the sum of ten dollars. And in case any person convicted and sentenced by said justice shall neglect or refuse to pay such penalty, with costs of prosecution, the justice, by his mittimus, may cause said offender to be committed to the jail of the county, there to be detained till discharged by order of law; reserving, however, to every person accused, the right to appeal to the district court, on entering into recognizance as in other cases of appeal from justices of the peace in criminal suits. Complaints for offences mentioned in this act may be made by any fish warden or deputy warden or any other person.

How recoverable.

Any person convicted shall be committed if he refuse to pay.

Right to appeal.

Complaints, how made.

SECT. 5. Each fish warden and deputy fish warden shall receive for his services one half of all the fines, imposed and collected by virtue of this act, wherein he shall have been the complainant, the other half thereof, to be paid over to the treasurer, for the use of the town where such offence was committed.

Compensation of wardens and their deputies.

[Approved March 22, 1844.]

Chapter 122.

AN ACT to organize, govern and discipline the militia.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:

SECT. 1. Every able bodied white male citizen, resident within this state, who is, or shall be of the age of eighteen years, and under the age of forty-five years, excepting persons enlisting into volunteer companies, persons already exempt from the performance of military duty by the sixteenth chapter of the revised statutes, idiots, lunatics, common drunkards, vagabonds, paupers and persons convicted of any infamous crime in this or any other state, shall be enrolled in the militia.

Description of persons to be enrolled in the militia of this state.