

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

PASSED BY THE

TWENTY-SEVENTH LEGISLATURE

OF THE

STATE OF MAINE,

A. D. 1847.

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

Augusta:

WILLIAM T. JOHNSON, PRINTER TO THE STATE.

1847.

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE,

1847.

Chapter 81.

CHAP. 81.

An act to construct fishways and remove obstructions in Ducktrap Stream.

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

SECT. 1. It shall be the duty of the county fish warden, to see that there be constructed good and sufficient fishways through, over or around all dams situated on Ducktrap stream and its tributaries in the towns of Lincolnville and Belmont at the expense of the owners thereof; *provided, however,* that the owners of any dam shall have the privilege of paying fifty dollars into the treasury of the town of Lincolnville in lieu of constructing said fish way, and the said town shall then be liable for the construction of the same.

Duty of county fish warden relative thereto.

Proviso.

SECT. 2. The owner or owners of any dam or dams on said streams shall keep open said fishways from the tenth day of May until the twentieth day of June annually, and on failure of keeing open said ways he or they shall forfeit and pay for each offense a sum not exceeding one hundred dollars nor less than twenty dollars.

Fishways to be kept open at certain seasons.

Forfeiture for neglect.

SECT. 3. It shall be lawful for the towns of Lincolnville and Belmont to regulate within their own limits respectively the taking of fish in said stream and its tributaries and make such rules, regulations and by-laws respecting the same as the inhabitants of said town may deem expedient for the preservation and sale of said fish in the streams aforesaid. And the said towns shall have power by their committee to pass over and upon the lands of any person lying upon said streams without being considered trespassers. And any person hindering or molesting said committee or either of them in the discharge of his or their duty as aforesaid or who shall obstruct any passage way in said streams he or they shall forfeit and pay a sum not exceeding twenty dollars nor less than five dollars.

Lawful for the town of Lincolnville and Belmont to regulate the taking of fish within their own limits, &c.

Forfeiture for obstructing passage way in said stream, &c.

SECT. 4. All fines, forfeitures and penalties which may be incurred by any breach of this act shall be recoverable by action of debt in the name of the inhabitants of either the said towns of Lincolnville or Belmont in which the said fines, forfeitures and penalties were incurred, and the said inhabitants are hereby authorized to sue for and recover the same.

Fines, forfeiture, &c., how recoverable.

[Approved July 31, 1847.]