

# MAINE STATE LEGISLATURE

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# ACTS AND RESOLVES

PASSED BY THE

## TWENTY-NINTH LEGISLATURE

OF THE

## STATE OF MAINE,

A. D. 1849.

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

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**Augusta:**  
WILLIAM T. JOHNSON, PRINTER TO THE STATE.

1849.

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PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE,

1849.

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## CHAP. 257.

Foot-walks.

the agent or agents mentioned in section second of this act; and said town is hereby authorized to contract with said railroad corporation for the erection and maintenance of a convenient and suitable footwalk connected with the bridge to be erected by said corporation across said river, for the accommodation of the inhabitants of said town and the public; in case said town shall be unable to contract as aforesaid with said corporation, any subscription it may have made for shares in the stock of said corporation shall be void and of no effect.

Subscription void.

Agents entrusted with the receipt and disbursement of money, required to give bonds.

SECT. 5. Any agent or agents appointed in pursuance of this act in behalf of said town, who may be entrusted with the receipt or disbursement of money, shall be required to give bond for the faithful performance of his or their duties, in such reasonable sum as said town may require.

[Approved August 7, 1849.]

## Chapter 257.

An act for the preservation of fish in the St. Croix river.

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

Two persons not interested in mills, to be elected by inhabitants of Calais.

—one by inhabitants of Baring.

Said persons shall constitute a committee which shall have the care and custody of certain fish-ways.

Duty of committee to examine said fish-ways.

Duty of owners or occupants of mills.

SECT. 1. The legal voters of the town of Calais shall, each year, at their annual meeting in March or April, elect by ballot two discreet, suitable persons, inhabitants of said town, not owners of nor interested in mills; and the legal voters of the town of Baring shall, each year, at their annual meeting in March or April, elect by ballot one discreet, suitable person, an inhabitant of said Baring, not an owner of nor interested in mills, which three persons shall constitute a committee which shall have the supervision, care and management of all fish-ways made or to be made in American waters on the St. Croix river or streams emptying into it from this state. A majority of said committee may act in all matters hereby committed to them, and such committee shall be sworn to the faithful performance of their duty.

SECT. 2. It shall be the duty of said committee to examine from time to time, and as often as need be, the several fish-ways named in the first section hereof. It shall be the duty of the owners and occupants of all mills, on any dam, to keep open and free from all obstructions to the free passage through them of salmon, shad and alewives, all fish-ways made through, over

or by said dam, by order of the county commissioners. If such fishway shall be closed up, or if there shall be in it any such obstruction as is aforesaid, for the space of twenty-four hours, said committee shall open said fish-way or remove said obstruction, the expense of which shall be recovered by the town in which said fish-way may be, to its own use, of the owners or occupants or any of them, of said mills or any one or more of them, in an action on the case, in the district court in the county of Washington.

SECT. 3. No person shall, by any way or means, catch or take any salmon, shad or alewives in said river or streams, after sunrise on Friday morning in each week, until sunrise of the next succeeding Monday, under a penalty of not less than five nor more than twenty dollars for each offense; to be recovered by and to the use of the inhabitants of the town within which said taking may be; and if the taking be without the limits of any incorporated town, by and to the use of any person who shall sue for the same, in an action of the case before any justice of the peace in said county, whether residing within the town suing or not.

SECT. 4. Each member of said committee, shall receive of the town, by which he is elected, one dollar fifty cents for each day he is necessarily employed in the duties hereby devolved on him.

SECT. 5. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

[Approved August 7, 1849.]

CHAP. 258.

Duty of committee to open said fish-ways or remove obstructions.

Expenses, how recovered.

Penalty for taking salmon, shad or alewives in said river or stream, between Friday and Monday of each week.  
How recovered.

Compensation of committee.

Chapter 258.

An act to authorize the county commissioners of the county of Lincoln to lay out a road over tide waters.

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

SECT. 1. The county commissioners for the county of Lincoln are hereby authorized and empowered to lay out and establish a road over the tide waters of the Sheepscot river from the town of Newcastle to the town of Alna, at and over the present bridge, or at any other point or place on said river between Samuel Averill's dwelling-house and the south end of Dyer's neck bridge to a point in Alna, near where the present

Location.