

# MAINE STATE LEGISLATURE

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# ACTS AND RESOLVES

PASSED BY THE

## THIRTY-FIRST LEGISLATURE

OF THE

### STATE OF MAINE,

A. D. 1852.

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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.

1852.

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PUBLIC LAWS

OF THE

STATE OF MAINE.

1852.

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**CHAP. 240.** use of the city, town or plantation, as shall be agreed upon between the parties.

Seine—what shall be considered.

**SECT. 2.** No net suitable for meshing said menhaden fish of one hundred and twenty-five meshes deep, shall be considered as a seine.

Penalty for violation of this act.

**SECT. 3.** If any person shall violate the provisions of the first section of this act, he shall forfeit and pay not less than fifty nor more than one hundred and fifty dollars for each offense, said fine and costs may be recovered in any court having competent jurisdiction.

Lien created upon all fishing apparatus for payment of penalty.

**SECT. 4.** All seines, boats and other apparatus employed in taking said fish contrary to the provisions of this act, are hereby declared to be liable for said fine and costs, and may be attached, arrested and sold, by due process of law, to secure the same without further proof of the property in the parties liable to such fines.

Penalty, half to towns, &c., and half to complainant.

**SECT. 5.** One half of all fines recovered under this act shall go to the use of the city, town or plantation, where the offense shall be committed, the other half to the complainant.

[Approved April 6, 1852.]

## Chapter 240.

An act in addition to the one hundred and forty-seventh chapter of the revised statutes.

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

Actions for recovery of lands held in quiet possession for forty years not maintainable.

**SECT. 1.** No real or mixed action for the recovery of any lands in this state, shall be commenced or maintained against any person in possession of such lands where such person, or those under whom he claims, have been in actual possession for more than forty years, and claiming to hold the same in his or their own right, and which possession shall have been adverse, open, peaceable, notorious and exclusive.

Plff. not to recover cost.

**SECT. 2.** In any such action for the recovery of lands, as aforesaid, the plaintiff shall recover no costs, in case he succeeds in his action.

**SECT. 3.** This act shall take effect and be in force, in sixty days from and after its approval by the governor.

[Approved April 6, 1852.]