

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

PASSED BY THE

THIRTY-EIGHTH LEGISLATURE

OF THE

STATE OF MAINE.

1859.

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

AUGUSTA:
STEVENS & SAYWARD, PRINTERS TO THE STATE.

1859.

PUBLIC LAWS

OF THE

STATE OF MAINE.

1859.

Chapter 64.

CHAP. 64.

An act regulating actions of foreign attachment.

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

SECT. 1. In all actions commenced by trustee process in the supreme judicial court, or before a municipal or police court, or justice of the peace, upon a judgment of either of said courts or justice, when an execution might legally issue thereon, and it shall be made to appear to such court or justice, that at the time of bringing such action, the defendant was openly possessed of visible property, liable to attachment, sufficient to satisfy such judgment, or that it was brought for the purpose of vexation, or to accumulate costs, the action at any time, on motion shall abate with costs to defendant.

Actions by trustee process to abate in certain cases, with costs to defendant

SECT. 2. This act shall be in force from and after its approval by the governor.

[Approved March 11, 1859.]

Chapter 65.

An act to amend the fifty-second section of the fortieth chapter of the revised statutes, relating to fish in ponds in Kennebec and Somerset counties.

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

SECT. 1. Whoever sets any net, seine, weir or other obstruction in Snow, Great, Long, McGrath, North, East or Richardson ponds, or any stream flowing from or into them in the counties of Kennebec or Somerset, for the purpose of taking, destroying or obstructing the free passage of fish therein, shall forfeit two dollars; and whoever takes or destroys any fish therein, except by dip nets or hook and line, shall forfeit a sum not exceeding one dollar for each fish so taken or destroyed; and these penalties may be recovered by indictment or by complaint before a justice of the peace, one half thereof to the use of complainant, and the other half to the state.

Ch. 40, sec. 52, R. S. amended. Nets, seines, and weirs, prohibited—penalty.

Fish, how to be taken, penalty.

Penalties, how recovered.

SECT. 2. This act shall take effect from and after its approval by the governor.

[Approved March 14, 1859.]