

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

PASSED BY THE

FORTY-FIRST LEGISLATURE

OF THE

STATE OF MAINE.

1862.

Published by the Secretary of State, agreeably to Resolves of June 28, 1820,
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1862.

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1862.

breed and quality of horses and neat stock in the county of Aroostook, by means of public exhibitions and the distribution of premiums, and otherwise as in their judgment will best secure the purposes aforesaid; and said society may choose all needful officers, and have power to purchase and hold property real and personal to an amount not exceeding ten thousand dollars, and pass any regulations and by-laws not inconsistent with the laws of this state, which they may deem necessary for the management of their own affairs.

Officers.

May hold real and personal estate.

By-laws.

SECT. 2. Said society shall have all the police powers at their public exhibitions, conferred on agricultural societies by sections seventeen, eighteen, and nineteen of chapter fifty-eight of the revised statutes, but shall not in any case receive aid from the state.

Powers, &c.

SECT. 3. Any five persons named in this act may call the first meeting of said corporation, by causing notice of the time and place of such meeting to be posted up in three public places in the town of Houlton in said county, ten days at least before the day of such meeting; and at such meeting by-laws and regulations may be adopted, and all necessary officers chosen for managing the affairs of said corporation.

First meeting, how called.

SECT. 4. This act shall take effect from and after its approval by the governor.

[Approved February 20, 1862.]

Chapter 140.

An act to regulate the taking of salmon, shad and alewives in the waters of Pleasant river, in Washington county.

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

SECT. 1. From and after the passage of this act, no person shall be allowed to take any salmon, shad or alewives in the waters of Pleasant river, in Washington county, with any large net, spears or scoop nets, or in any weir between sunrise on Friday of each week, and sunrise on Tuesday of each succeeding week, under a penalty of twenty dollars for each and every barrel or less quantity of salmon; of fifteen dollars for every barrel or less quantity of shad; of five dollars for every barrel or less quantity of alewives so taken.

Fish in Pleasant river, taking of, regulated.

SECT. 2. The owner or owners of all weirs and other machines placed in said waters, for the purpose of taking said fish, shall cause the same to kept open from sunrise on Friday of each week,

Weirs, &c., owners of to keep open at certain times.

CHAP. 140.

Penalty for neglect.
Weir, &c., how built.
Penalty for violation.

Towns and plantation, duties of.

—neglect of, forfeiture.

Fish way around dams, &c.

—when to be kept open.

—neglect of owner, &c.

Penalty, how recovered.

Not to erect any eel weir.

Penalty.

Nets, &c., used in violation of this act to be forfeited.

—proceedings.

Fish when not to be taken.

Penalty for violation.

Fish Committee, resisting of.

Penalty.

Towns, &c., may prohibit

till sunrise on Tuesday of each succeeding week, under a penalty of fifty dollars for each offence.

SECT. 3. No person shall build or place in said waters any box or trap weir; nor build or place therein a weir of any kind, higher than a half tide weir, under a penalty of fifty dollars.

SECT. 4. It shall be the duty of each town and plantation, Beddington excepted, through which said river passes, at their usual meeting in March or April, to choose three or five suitable persons for a fish committee, who shall be sworn faithfully and impartially to discharge the duties required of them by this act; and any such town or plantation neglecting to choose such a committee, shall forfeit a sum not less than twenty nor more than fifty dollars.

SECT. 5. There shall be a good and sufficient fishway for the passage of salmon, shad and alewives, made over or around every dam in, or across said river or any of its branches where said fish have usually passed, by the owner or occupant of said dam; and said fishways shall be kept open at all times between the fifteenth day of May and the fifteenth day of July in each year, and at such other times as said committee shall deem necessary for any of said fish to pass up or down said river; and any owner or occupant of such dam, who shall neglect or refuse to make, and keep open such fishway after ten days notice in writing by any of said committee, the said committee are hereby authorized to build and keep open such fishways and to recover of said owner or occupant the necessary expenses thereof, with interest at the rate of one per cent. per month by an action of the case.

SECT. 6. No person shall erect any eel weir in any part of said river or its branches, or in any of its lakes, from or through which said river may flow, so as to stop or impede the passage of the young fish returning down said river, under a penalty of ten dollars.

SECT. 7. All nets, seines, craft, barrels and salt used in taking or securing fish in violation of this act, and all fish so taken shall be forfeited and may be seized by said committee or any one of them, when so used, and shall be proceeded against as directed in the act prescribing the mode of recovering forfeitures of personal property liable thereto by law.

SECT. 8. No person shall take fish of either of the kinds aforesaid, within a line four rods below the lower roll dam, and a line one rod above Harris dam or said river, under a penalty of not less than two nor more than twenty dollars.

SECT. 9. If any person shall resist such fish committee, or either of them, in the execution of their duties prescribed by this act, he shall forfeit a sum not less than ten nor more than fifty dollars.

SECT. 10. The inhabitants of every town and plantation, through which said river passes, are empowered at any legal meeting, by

their vote, to prohibit all persons other than inhabitants and residents of the same, from taking any of the fish aforesaid, within the limits of such town or plantation; and any person who shall take any of said fish contrary to the vote of such town or plantation, shall forfeit a sum not less than two dollars, nor more than ten dollars for each barrel or less quantity of fish so taken.

CHAP. 141.

the taking of fish, except by inhabitants.

Penalty.

SECT. 11. No person shall take at any time by means of seine, sweep or drag net, any salmon, under penalty of not less than twenty nor more than fifty dollars for every barrel or less quantity so taken.

Fish not to be taken with seine, &c.

Penalty.

SECT. 12. If such fish committee or either of them shall neglect or refuse to perform any of the duties required of them or him by the provisions of this act, they or either of them neglecting or refusing as aforesaid, shall forfeit and pay a sum not less than five nor more than one hundred dollars.

Fish committee, neglect of duty.

Penalty.

SECT. 13. If any person having taken any alewives from said waters or purchased any so taken, shall permit them to become tainted and offensive to the inhabitants, he shall forfeit and pay the sum of twenty dollars for every such offence.

If any person permit fish taken by him to become tainted, &c.
Penalty.

SECT. 14. The penalties imposed by this act may be recovered by action of debt, one-half to the use of the poor of the town or plantation, wherein the offence shall have been committed, and the other half to the use of the person who shall sue therefor.

Penalties, how recovered and appropriated.

[Approved February 21, 1862.]

Chapter 141.

An act to incorporate the Lincoln County Antiquarian Society.

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

SECT. 1. Everett W. Stetson, Edwin Flye, John H. Converse, Rufus C. Chapman, Henry B. Merrill, Cushing Bryant, Joseph L. Haines, J. B. Keen, Marshall Smith and Emery Boyington, their associates, successors and assigns, are hereby made a corporation by the name of the Lincoln County Antiquarian Society; and by that name may sue and be sued, may have and use a common seal, and may take, hold and convey for the objects of their association, any estate real or personal, obtained by gift, grant, bequest or otherwise, the annual income of which shall not exceed one thousand dollars; and they are hereby invested with all the rights, powers and privileges incident to similar corporations.

Corporators.

Corporate name.

May hold real or personal estate.

Rights, powers, &c.

SECT. 2. Any three of the corporators named in this act shall have power to call the first meeting of this corporation by sending

First meeting, how called.