

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

PASSED BY THE

FORTY-THIRD LEGISLATURE

OF THE

STATE OF MAINE.

1864.

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

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1864.

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1864.

Chapter 364.

An act authorizing the inhabitants of the towns of Dennysville and Edmunds to take measures for the preservation of Salmon in Denny's river.

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

Salmon, for the preservation in Denny's river.

May choose a committee from each town.

—duties of.

Fish, taking of, &c., at certain times and ways, prohibited.

Penalties.

Proviso.

Weirs, &c., how constructed.

—when shall be kept open.

—if owner neglect.

Penalty.

SECT. 1. From and after the passage of this act, it shall be lawful for the towns of Dennysville and Edmunds, in the county of Washington, at their annual March or April meeting, and they are hereby required to choose a committee of three persons in each of said towns, who shall be inhabitants and legal voters in the town in which they are respectively chosen, whose duty it shall be to attend to the preservation of the fish called Salmon in Denny's river, agreeably to the provisions of this act.

SECT. 2. If any person, for the purpose of taking or obstructing the passage of said fish in any part of said river, or in the tide water within five miles of the head of the tide in said river, shall use any drift, drag or sweep net or shall use any set net more than fifty feet long, or which, with other artificial obstructions made for the purpose extend more than fifty feet, or which shall be set within one hundred feet of any other net, trap or fish wier, or shall make use of torches or any other artificial light, or shall use any set net, trap or fish wier above the lower bridge on Denny's river, or use these or any other means at any season of the year above the mills on said river, or shall make use of any way or means whatever for catching, destroying or obstructing said fish between sunset on Thursday, and sunrise on Monday of the following week, or at any time after the first day of September in any year ; or if he shall for any other purpose inconsistent with the proper objects of this act, make use of any of the above mentioned means in any of the modes or times herein prohibited, he shall forfeit the nets, spears, canoes or other implements used, and shall also forfeit and pay the sum of ten dollars and two dollars for every salmon caught, or in default of payment shall be imprisoned in the county jail not exceeding twenty days nor less than ten ; *provided* that by none of the provisions of this act shall fly fishing, so called, be excluded at any place on the river, except during the prohibited days or after the first of September, neither shall the implements therefor be subject to forfeiture at any time.

SECT. 3. All weirs or fish traps which are or may be erected within the tide waters aforesaid, shall have a good and sufficient gateway for the free passage of said fish at all times of the tide, which shall at all times be kept open from sunset on Thursday to sunrise on Monday of the following week ; and any owner or proprietor of such wier or fish trap shall forfeit and pay the fine of ten dollars for each and every tide during which such gateway or passage shall be neglected or obstructed during the time above men-

tioned; and in default of payment shall be imprisoned in the county jail not exceeding twenty days nor less than ten.

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SECT. 4. All fines incurred for breaches of this act may be recovered by action of debt in any court proper to try the same by said committees or any member thereof, or by any other person, one half to the use of said committees or any other person or persons who shall prosecute and sue for the same, and the other half to be paid to the treasurers of the towns of Dennysville and Edmunds, in equal proportions for the use of said towns. And it shall be the duty of said committees or either of them, to seize any nets, spears, boats, canoes or other implements which may be in use for taking salmon contrary to the provisions of this act, and to sell them to the highest bidder therefor, after giving public notice of the time and place of sale at least forty-eight hours before such sale; the net proceeds of such sale to be paid to the treasurers of the towns as hereinbefore provided.

Fines, how recovered.
—how appropriated.

Committees, duty of.

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

Inconsistent acts repealed.

Approved March 16, 1864.

Chapter 365.

An act additional to an act entitled "an act to amend the charter of the Piscataquis Mutual Insurance Company."

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

SECT. 1. Assessments upon the Piscataquis Mutual Insurance Company for the payment of losses by fire shall be determined by the directors of said company; but any one or more of said assessments, as said directors may order, may contain an overlay or additional sum for the payment of any debts or liabilities of said company other than by losses by fire, and all persons who are liable to assessments for any loss or losses by fire, shall also be liable to be assessed for such overlay or additional sum, notwithstanding they may not have been members of said company or liable to be assessed when the liability or debt was incurred for which such overlay or additional sum is assessed. All assessments so made, signed by five or more of the directors of said company and certified by the secretary thereof, shall be deemed legal and duly authenticated, and shall be committed by the secretary to the treasurer of said company for collection; and all assessments heretofore made by order of the directors, may be so signed and certi-

Assessments upon company, how determined.

May contain an overlay, &c., payment of debts, &c.

Assessments, how authenticated.

—how collected.