

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

FORTY-SEVENTH LEGISLATURE

OF THE

STATE OF MAINE.

1868.

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

AUGUSTA:
OWEN & NASH, PRINTERS TO THE STATE.
1868.

PUBLIC LAWS

OF THE

STATE OF MAINE.

1868.

‘ provided for laying out town ways and appraising damages there-
 ‘ for; and on payment or tender of such damages, or if such owner
 ‘ shall not reside within this state, upon depositing such damages
 ‘ in the treasury of such town or district for his use, the town or
 ‘ district designating it may take such lot to be held and used for
 ‘ the purposes aforesaid; and when such school house as is required
 ‘ of the town or district has ceased to be thereon for two years, it
 ‘ shall revert to the owner, his heirs or assigns.’

CHAP. 173.

SECT. 2. This act shall take effect when approved.

Approved February 24, 1868.

Chapter 173.

An act to grant certificates of service to soldiers who served in the war for the suppression of the rebellion.

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

SECT. 1. The governor is hereby authorized to issue certificates of appropriate design to all soldiers who served in the war for the suppression of the rebellion, and have been honorably discharged, and to widows or next in kin of such as have deceased, said certificate to contain a transcript of the record in the adjutant general's office of the service of the soldier.

Certificates for honorable service during late war, to be granted soldiers and widows of deceased soldiers.

SECT. 2. The cost of said certificates shall not exceed, in the aggregate, the sum of two thousand dollars.

SECT. 3. This act shall take effect when approved.

Approved February 24, 1868.

Chapter 174.

An act to regulate certain fisheries.

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

SECT. 1. Any person who shall use any weir, trap, seine or net, other than a dip-net, for taking any kind of fish in any other than tide waters, except as hereinafter provided, shall be punished by a fine of not more than fifty nor less than ten dollars, and shall forfeit all implements so unlawfully used, and all boats employed in said unlawful fishery.

Restriction in the taking of fish in other than tide waters. —penalty.

SECT. 2. Any person who shall take or kill any trout, salmon, togue or whitefish, during the months of October, November and

Taking of trout, salmon, &c., restricted.

CHAP. 174. December, except as hereinafter provided, shall be punished by a fine of not more than thirty nor less than ten dollars, and two dollars for each fish taken or killed, and shall forfeit all implements so unlawfully used.

SECT. 3. Any person who shall knowingly sell, offer for sale, or have in his possession any fish taken in violation of this act, shall be punished by a fine of twenty dollars.

SECT. 4. Any person who shall introduce, by means of the living fish or the spawn, any mascalonge, pickerel, pike, sunfish or bream, yellow perch or black bass to any waters where they do not now exist, except as hereinafter provided, shall be punished by a fine of one hundred dollars.

SECT. 5. Any person who shall, previous to the year eighteen hundred seventy-three, take any salmon, shad, alewives, herring or gaspereux, in those portions of the Androscoggin, Kennebec, Penobscot and St. Croix rivers, and their tributaries lying above a point one-half mile below the lower dam on each of the said rivers, or shall, during the same time and within the same limits, use any trap, net or any other contrivance for taking the above fish, shall be punished by a fine of not more than fifty nor less than ten dollars for each offence, and a further fine of ten dollars for each salmon, five dollars for each shad, one dollar for each alewife, herring or gaspereux so taken, and shall forfeit all boats and implements so unlawfully used.

SECT. 6. No provisions of this or any other act shall prevent the commissioners, or other officers under chapter seventy-eight of the resolves of eighteen hundred and sixty-seven, entitled "resolve relative to the restoration of sea fish to the rivers and inland waters of Maine," or any act or resolve pursuant thereto, taking fish or causing them to be taken in any manner and at any time, for scientific purposes, or for the purpose of breeding and dissemination, or introducing or causing to be introduced any fish to any waters they may see fit; nor shall this act conflict with any rights granted to any parties who are engaged in the cultivation of fish; nor shall the first and second sections hereof apply to the waters of the Saint John river and its tributaries; nor shall the second section apply to the capture of the blue back trout in Franklin and Oxford counties.

SECT. 7. All penalties and forfeitures provided for in this act may be recovered by complaint, indictment or action of debt before any competent tribunal; and in cases where the offence is committed in any river or stream forming a boundary between two counties, or in any lake or pond, lying partly in two or more counties, the action may be brought in either county; one-half of all fines recovered shall be paid to the person prosecuting or suing therefor.