

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,
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1868.

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1868.

Chapter 574.

An act to amend sections two and six of an act to regulate the shad and alewife fishery in the town of Warren, in the county of Lincoln, passed March six, eighteen hundred and two.

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

SECT. 1. Section two of the act to regulate the shad and alewife fishery in the town of Warren, passed March six, eighteen hundred and two, is hereby amended by erasing in the tenth line the words "thirteen" and "one dollar," and by inserting in lieu thereof the words following, 'fifty' and 'five dollars,' so that the section thus amended shall read as follows: 'That if the purchaser or purchasers, manager or managers, of the privilege, or those employed by them, shall presume to take any of the said fish at any other time or place in said town than shall be determined by said town, and if any other person whatever shall presume to take or catch any of said fish, in any river or stream within the boundaries of said town, without permission from the inhabitants thereof, in legal town meeting, he or they so offending shall, for each offence, forfeit and pay a sum not exceeding fifty dollars nor less than five dollars, at the discretion of the justice before whom the offence shall be tried.'

Sect. 2 amended by increasing penalty for unlawful fishing.

Section as amended.

SECT. 2. Section six of said act is hereby amended by inserting in the fourth line after the word "net" the following words: 'seine, boat, buoy or other implements,' and by erasing in the fifth line the words "the hands of any person using the same," and by inserting after the words "found in," in the fourth line, the words 'actual use for the catching of said fish or obstructing their passage,' and by the erasure in the sixth and seventh lines the words "until the person so offending makes satisfaction for his offence, or is legally acquitted therefrom," and by inserting in lieu thereof the words following: 'and such net, seine, boat, buoy or other implements so seized by said committee shall be forfeited to the use of said town, unless the owner or the person so having used the same shall, within ten days after such seizure, redeem the same by making satisfaction for their being used as aforesaid,' so that the section thus amended shall read as follows: 'That it shall be the duty of the fish committee appointed by said town to prosecute for all breaches of this act, and for any one of them, to seize and detain in their custody any net, seine, boat, buoy or other implements in actual use for the purpose of catching said fish or obstructing their passage, contrary to the true intent and meaning of this act; and such net, seine, boat, buoy or other implements so seized by said committee shall be forfeited to the use of said town, unless the owner or other person so having

Sect. 6 amended by including forfeiture of boats, seines, buoys, &c.

Section as amended.

CHAP. 575. 'used the same shall, within ten days after such seizure, redeem the same by making satisfaction for said offence; and may also seize, to the use of said town, all such fish as they shall suspect to have been taken contrary to the provisions of this act, unless the person in possession thereof shall give satisfactory evidence to said committee that said fish were lawfully taken.'

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

Approved February 24, 1868.

Chapter 575.

An act to amend an act entitled "An act to renew and extend the charter of the Bangor and Piscataquis Railroad," approved February twenty-eighth, eighteen hundred sixty-seven.

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

How amended.

Section one of said act is hereby amended by adding after the word "Milford," in the ninth line 'or Oldtown;,' and also by adding the same words after the word "Milford," in section two, seventh line; and also by striking out the words "above the lower Penobscot boom," in the ninth and tenth lines of section one.

Approved February 24, 1868.

Chapter 576.

An act to cede to the United States jurisdiction over certain land in Machias.

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

Jurisdiction ceded to U. S. over land for custom house.

Proviso as to retention by state of concurrent jurisdiction in serving civil and criminal processes.

That there be and hereby is ceded to the United States of America the jurisdiction of such lot or parcel of land as may be selected in the town of Machias, as a site for a custom house in said place; *provided always*, that this cession of jurisdiction is granted and made upon the express condition that the state of Maine shall retain a concurrent jurisdiction with the United States in and over the said tract of land and every portion thereof, so far, that all process, civil or criminal, issuing under the authority of said state, or any officers thereof, may be executed by the proper officers thereof, upon any persons amenable to the same, within the limits and extent of said tract of land, in like manner and to like effect as if the said jurisdiction had not been ceded, saving,