

# MAINE STATE LEGISLATURE

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## ACTS AND RESOLVES

OF THE

## FIFTY-FIRST LEGISLATURE

OF THE

## STATE OF MAINE.

1872.

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

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AUGUSTA:

SPRAGUE, OWEN &amp; NASH, PRINTERS TO THE STATE.

1872.

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PUBLIC LAWS  
OF THE  
STATE OF MAINE.  
1872.

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## CHAP. 30.

## Chapter 30.

An act to amend sections twenty-five, thirty-one and thirty-six of chapter forty of the revised statutes, relating to fish and appointment of fish commissioners.

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

R. S., chap. 40, sect. 25, relating to appointment, salary and duties of commissioner of fisheries, amended.

SECT. 1. Section twenty-five of chapter forty of the revised statutes is hereby amended by striking out all of said section after word "printed," and inserting in the place so stricken out the following, to wit: 'He or they shall receive a salary of one thousand dollars per year and travelling and other expenses necessarily incurred in connection with his or their duties, which shall be audited and caused to be paid by the governor and council; and it shall be his or their duty to see that all violations of the fish laws of the state are duly prosecuted,' so that said section as amended shall read as follows, to wit :

As amended.

'Sect. 25. The governor with the advice of the council shall appoint one or two persons as they may think best, to be commissioners of fisheries, who shall hold office for three years, unless sooner removed, and have a general supervision of the fisheries, regulated by the preceding and following sections. He or they shall examine dams and other obstructions existing in all rivers and streams in the state, and determine the necessity of fishways and the location, form and capacity thereof, shall visit those sections where fisheries regulated by this chapter are carried on, and examine into the working of the laws; shall introduce and disseminate valuable species of fish into the streams and ponds of this state where they do not exist, and perform all other duties prescribed by law. He or they shall report annually on or before the thirty-first day of December, to the governor, who shall cause three thousand copies of each report to be printed. He or they shall receive one thousand dollars and travelling and other expenses necessarily incurred in connection with his or their duties, which shall be audited by the governor and council, and it shall be his or their duty to see that all violations of the fish laws of the state are duly prosecuted.'

R. S., chap. 40, sect. 31, relating to appointment, compensation and duties of fish wardens.

SECT. 2. Section thirty-one of said chapter is amended by striking out the word "one" in the last line and inserting the word 'two' in its place, so that said section as amended shall read as follows, to wit :

As amended.

'Sect. 31. The governor with the advice of the council, shall appoint fish wardens wherever the same may be necessary, who shall enforce the provisions of all public laws relating to fisheries, and shall have all the powers given to fish wardens by the following section. Each person so appointed shall hold office three years, unless sooner removed, and his pay shall be fixed by the

governor and council, who shall audit his accounts and cause the same to be paid from the state treasury; *provided*, that the total amount paid to all the wardens shall not exceed fifteen hundred dollars annually.'

SECT. 3. Section thirty-six of said chapter is hereby amended by striking out the words "two" and "one" in the second line of said section and by inserting word 'five' in the place of each of said words, so that as amended it shall read as follows :

R. S., chap. 40, sect. 36, relating to salmon and shad fishing, amended.

'Sect. 36. No salmon, shad, alewife or other migratory fish shall be taken within five hundred yards of any fishway or within five hundred yards of any dam or mill-race, nor shall any structure or implement except single hook and line be used for taking any fish within the above limits, between the first day of April and the first day of November, without the written permission of the wardens of the district in which it is situated, and approved by the commissioner of fisheries, nor shall hook and line be used within fifty yards of any fishway. The penalty for the violation of this section shall be 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, one dollar for each shad and twenty cents for each alewife so taken.'

As amended.

Approved February 23, 1872.

### Chapter 31.

An act to fix the salary of the county attorney for the county of Somerset.

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

SECT. 1. The salary of the county attorney for Somerset county shall be three hundred and fifty dollars instead of the sum now fixed by law.

Salary of attorney for Somerset county.

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

Approved February 23, 1872.

### Chapter 32.

An act additional respecting railroads, relating to location and construction near depots of other railroads.

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

SECT. 1. No railroad company shall construct or maintain any track, or run any engines or cars on any street or highway so

Location of railroad near the