

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

FIFTY-FIFTH LEGISLATURE

OF THE

STATE OF MAINE.

1876.

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

AUGUSTA:
SPRAGUE, OWEN & NASII, PRINTERS TO THE STATE.
1876.

PUBLIC LAWS

OF THE

STATE OF MAINE.

1876.

CHAP. 126.

Penalties, when collected, how appropriated.

Punishment for non-payment of penalty.

Duty of county attorneys to commence actions for recovery of penalties.

Penalty recovered, how applied

Other persons not precluded from enforcing penalties.

This act not to prevent any person from lawfully taking fish.

supreme court, superior court of Cumberland county, or of any police or municipal court, and any trial justice is authorized, upon receiving sufficient security for costs on the part of the complainant, and sufficient proof by affidavit of the violation of any of the provisions of this act, by any person being temporarily within his jurisdiction, but not residing therein, or by any person whose name and residence are unknown to the complainant, to issue his warrant and have such offender committed or held to bail, to answer the charge against him. Any penalties, when collected, shall be paid by the court before which conviction shall be had, one half to the county where conviction is obtained, and the remainder to the prosecutor. On the non-payment of the penalty, the defendant shall be committed to the common jail of the county, for a period of not less than ten days, and at the rate of one day for each dollar of the amount of the judgment, where the sum is over ten dollars in amount; and it shall be the duty of any county attorney in this state, and he is hereby required to commence actions for the recovery of the penalties allowed and imposed in this act, upon receiving proper information; and in all actions brought by such county attorney, one half of the penalty recovered and collected shall be paid to the person giving information on which the action is brought, and the other half to the county where conviction is obtained; this clause, however, not to preclude any person from bringing suit to recover or enforce any of the penalties named in this act, without the aid or intervention of any county attorney.

SECT. 5. Nothing in this act shall be construed to prevent any person or persons from lawfully catching fish in waters owned by him or them for the purpose of stocking other waters, or to prevent the fish commissioners or their agents, duly authorized, from lawfully taking fish at any time or in any manner for the purposes of propagation or for stocking other waters.

SECT. 6. All acts and parts of acts conflicting with this act are hereby repealed.

Approved February 23, 1876.

Chapter 126.

An act explanatory of "an act additional for the assessment and collection of taxes," approved February twenty-seven, eighteen hundred and seventy-one.

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

The provisions of chapter two hundred and thirty of the public acts of eighteen hundred and seventy-one, shall not apply to vessels built, or in process of construction, or undergoing repairs, which belong to persons residing out of the state.

Approved February 23, 1876.

Ch. 230 of public laws of 1871, not applicable to persons out of the state.