

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

FIFTY-SEVENTH LEGISLATURE

OF THE

STATE OF MAINE.

1878.

Published by the Secretary of State, agreeably to Resolves of June 28, 1820,
February 18, 1840, and March 16, 1842.

AUGUSTA:

SPRAGUE, OWEN & NASH, PRINTERS TO THE STATE.

1878.

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1878.

CHAP. 44.

Forfeitures and penalties, how enforced.

Ch. 472, special laws 1865, repealed.

SECT. 4. All forfeitures and penalties arising by force of this act, may be enforced by complaint, or by an action of debt in any court proper to try the same, one-half of which shall be for the benefit of the party prosecuting or making complaint, and the other half to the town or city in which the proceedings are commenced and prosecuted.

SECT. 5. Chapter four hundred and seventy-two of the special laws of eighteen hundred and sixty-five, so far as the same relates to bass, is hereby repealed.

Approved February 13, 1878.

Chapter 44.

An act for the protection of Smelts in Bagaduce river and tributaries, in the county of Hancock.

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

Penalty for taking smelts in Bagaduce river, except by hook and line.

SECT. 1. Whoever takes or catches any smelt or smelts with a net of any kind, or in any other manner than by naturally or artificially baited hooks and hand lines, from Bagaduce river, in the county of Hancock, or any of its tributaries, shall forfeit for each smelt so caught or taken the sum of one dollar.

Officers authorized to enforce act.

SECT. 2. The mayor and aldermen of any city, the selectmen of any town, and all fish wardens, police officers and constables within the county of Hancock, shall cause the provisions of this act to be enforced within their respective towns and cities; and all forfeitures and penalties for violation of the provisions of this act shall be paid, one-half to the person making the complaint, and one-half to the city or town in which the offense is committed. And all boats, nets or implements of any kind, used in taking smelts contrary to the provisions of this act, shall be deemed forfeit and contraband, and sold upon judgment of the court, and paid over as above, one-half to complainant, and one-half to the use of the town wherein the offense is committed.

Boats, nets, &c., forfeited.

Complainant may seize and appropriate fish taken.

SECT. 3. Any complainant may seize on view, and appropriate to his own use or gift, any fish taken or possessed in violation of this act.

SECT. 4. All penalties imposed under the provisions of this act may be recovered, with costs of suit, by any person or persons in his or their own name, before any municipal or police court, or trial justice, in the county of Hancock, or where the defendant resides, or in the supreme court of the state. 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 judgment.

CHAP. 45.

Penalties, how recovered.

Defendant may be committed on non-payment of penalty.

SECT. 5. This act shall take effect when approved.

Approved February 13, 1878.

Chapter 45.

An act to abolish the organization of Plantation number six, in the county of Franklin.

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

SECT. 1. The organization of plantation number six, in the county of Franklin, is hereby abolished; *provided, however,* that the corporate existence, powers, duties and liabilities of said plantation shall survive for the purpose of prosecuting and defending all pending suits and causes of suits to which said plantation is or may be a party, and all needful processes growing out of same, and for the further purpose of providing for the payment of all debts and judgments which are existing or may be recovered against said plantation.

Organization abolished. Proviso.

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

Approved February 13, 1878.

Chapter 46.

An act to restrict Fishing in Sanborn Brothers' Pond in Baldwin.

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

SECT. 1. All persons, except as hereinafter provided, are prohibited from the date of the passage of this act, to take fish of any description, in any manner, from Sanborn

Taking fish from Sanborn Brothers' pond in Baldwin, prohibited.