

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

ACTS AND RESOLVES  
OF THE  
FIFTY-EIGHTH LEGISLATURE  
OF THE  
STATE OF MAINE.  
1879.

---

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

---

AUGUSTA:  
E. F. PILLSBURY & CO., STATE PRINTERS.  
1879.

---

PUBLIC LAWS  
OF THE  
STATE OF MAINE.  
1879.

---

## CHAP. 122.

## Chapter 122.

An Act to extend the time for taking Smelts in the Penobscot River and its Tributaries.

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

Provisions of  
sec. 11, ch. 75,  
public laws of  
1878, not to ap-  
ply to smelts  
taken in Penob-  
scot river,  
when,

SECT. 1. The provisions and penalties of section eleven of chapter seventy-five of the public laws of the year eighteen hundred and seventy-eight, shall not apply to smelts taken in the Penobscot river and its tributaries, between the first and fifteenth days of April of each year ; otherwise, said provisions and penalties shall remain in full force.<sup>1</sup>

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

Approved February 27, 1879.

## Chapter 123.

An Act to amend chapter seventy-five of the Public Laws of eighteen hundred and seventy-eight, relating to the Protection of Fisheries and Propagation of Fish.

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

Sec. 8, ch. 75,  
public laws  
amended.

SECT. 1. Section eight of said chapter is hereby amended by adding after the word "knowledge," in the fourth line, the words 'and shall have the same power as sheriffs and deputy sheriffs, to serve all criminal process for the violation of any of the provisions of this act,' so that as amended, the first paragraph in said section shall read as follows, viz :

Governor to  
appoint fish  
wardens where  
necessary.  
Wardens to  
prosecute  
offenses.  
Power to serve  
process.

'SECT. 8. The governor with the advice of the council, shall appoint fish wardens where the same may be necessary, who shall enforce the provisions of all public laws relating to fisheries ; prosecute all offenses that come to their knowledge, and shall have the same power as sheriffs and deputy sheriffs to serve all criminal process for the violation of any of the provisions of this act ; and they shall have a right at all times, to visit any dam or any weir or other apparatus for taking fish, and in the exercise of their duties shall have the same right to require aid that sheriffs and their deputies have in executing the duties of their office, and any person neglecting to render it when required shall forfeit ten dollars.'

Right to visit  
dam, weir or  
other appara-  
tus.  
Right to re-  
quire aid.

Sec. 13 of ch.  
75, public laws  
1878, amended.

SECT. 2. Section thirteen of chapter seventy-five of the public laws of the year eighteen hundred and seventy-eight, is hereby amended so as to read as follows :

Close time for  
land-locked  
salmon, trout,

'SECT. 13. There shall be an annual close-time for land-locked salmon, commonly so called, trout, togue, black bass, Oswego

bass and white perch, in the waters of this State, as follows, viz : CHAP. 123.  
 For land-locked salmon, trout and togue, from the first day of togue, bass and perch.  
 October to the first day of May following; excepting on the St. Land-locked salmon, trout and perch from Oct. 1 to May 1.  
 Croix river and its tributaries and all the waters in Kennebec Except certain waters.  
 county, in which the close-time shall be from the fifteenth day of Bass and perch first of April to first of July.  
 September to the first day of May following; and for black bass,  
 Oswego bass and white perch, from the first day of April to the  
 first day of July following.'

SECT. 3. Section fifteen of said chapter is hereby amended so Sec. 15 amend- ed.  
 as to read as follows :

'SECT. 15. No person shall take, catch, kill or fish for, in any Penalties for violations of provisions of this chapter.  
 manner, any land-locked salmon, trout or togue, in any of the  
 waters aforesaid, between the said first day of October and the first  
 day of May following, nor in the St. Croix river and its tributaries,  
 between the fifteenth day of September and the first day of May  
 following; or black bass, Oswego bass or white perch, between  
 the first day of April and the first day of July following, under a  
 penalty of not less than ten dollars nor more than thirty dollars,  
 and a further fine of one dollar for each fish thus caught, taken or  
 killed as aforesaid. Provided, however, that during the months Proviso.  
 of February, March and April, in each year, it shall be lawful for  
 citizens of this State to fish for and take land-locked salmon, trout  
 and togue, and convey the same to their own homes, but not  
 otherwise.'

SECT. 4. Section sixteen of said chapter is hereby amended so Section 16 amend- ed.  
 as to read as follows :

'SECT. 16. No person shall sell, expose for sale or have in Penalty for selling or offer- ing for sale certain fish at certain seasons.  
 possession with intent to sell, or transport from place to place in  
 this State, any land-locked salmon, trout or togue, between the  
 first day of October and the first day of May following, or any  
 black bass, Oswego bass or white perch, between the first day of  
 April and the first day of July following, under a penalty of not  
 less than ten dollars nor more than fifty dollars for each offense.'

SECT. 5. Section seventeen of said chapter is hereby amended Sec. 17 amend- ed.  
 so as to read as follows :

'SECT. 17. Any person or persons having in possession, except Persons hav- ing in posses- sion or trans- porting from place to place, fish named, — deemed guilty of violating law.  
 alive, any land-locked salmon, trout or togue, between the first  
 day of October and the first day of May following, or any black  
 bass, Oswego bass or white perch, between the first day of April  
 and the first day of July following, or who shall transport from  
 place to place within this State any land-locked salmon, trout or  
 togue, between the first day of October and the first day of May  
 following, or black bass, Oswego bass or white perch, between the  
 first day of April and the first day of July following, shall be  
 deemed to have killed, caught or transported the same contrary to  
 law, and be liable to the penalties aforesaid.'

Approved February 27, 1879.