

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

SIXTY-SECOND LEGISLATURE

OF THE

STATE OF MAINE.

1885.

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

AUGUSTA :
SPRAGUE & SON, PRINTERS TO THE STATE.
1885.

PUBLIC LAWS
OF THE
STATE OF MAINE.

1885.

CHAP. 262

—penalties, how recovered and for whose benefit.

—lien upon vessels, etc.

—seine defined.

harbors, or rivers, where any entrance to the same, or any part thereof from land to land, is not more than three nautical miles in width, under a penalty upon the master or person in charge of such seines, or upon the owners of any vessel or seines employed in such unlawful fishing, of not less than three hundred, nor more than five hundred dollars, to be recovered by indictment, or action of debt; one-fourth of the penalty to the complainant or prosecutor, and three-fourths to the county in which the proceedings are commenced; and there shall be a lien upon the vessels, steamers, boats, and apparatus used in such unlawful pursuit until said penalty, with costs of prosecution, is paid; but a net for meshing mackerel, or porgies, of not more than one hundred meshes in depth, and a net for meshing herring, of not more than one hundred and seventy meshes in depth, and a net for meshing shad, of not more than seventy-five meshes in depth, shall not be deemed a seine.'

Approved February 11, 1885.

Chapter 262.

An Act to provide for notice of special legislation for Protection of Fish.

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

Protection of fish by special legislation to be published by posting notices on banks of protected waters.

Manner of posting.

Style and size of letters, etc.

SECT. 1. It shall be the duty of all persons that are or may be benefited by legislation, other than the general statutes, for the protection of fish in any waters of this state, to publish such protection by posting and maintaining notices, as hereinafter provided. Said notices shall be placed on the banks or shores of such protected waters, not more than ten feet and not less than six feet above the ground, in a conspicuous position; and if on running water, such notices shall be not more than one-half mile apart on the banks of such waters; and if on a pond or lake, not more than one mile apart on the shores of such pond or lake.

SECT. 2. Said notices shall be painted on wood in black roman letters not less than two inches in length and not less than one-half inch in breadth, so that such letters shall be plainly legible, and such notices shall state the number of the

act and the date of same giving the said protection to such waters.

SECT. 3. Any one mutilating or destroying such notices shall be subject to the same penalties as set forth in section twenty, chapter one hundred and twenty-seven of the revised statutes.

Penalty for mutilating or destroying notices.

SECT. 4. In case no notices as herein provided, are posted and maintained on waters that are protected by special laws, then, no one violating such laws shall be liable thereunder to any penalties set forth in such laws.

Penalties cannot be enforced if notices are not posted.

Approved February 16, 1885.

Chapter 263.

An Act amending chapter two, sections forty and forty-one, Revised Statutes, relative to record of Qualification of Justices of the Peace.

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

Chapter two, sections forty and forty-one, of the revised statutes, is hereby amended so as to read as follows:

Secs. 40 and 41 of ch. 2, R. S., amended.

'SECT. 40. The secretary of state shall on the first days of June and December, forward to the registers of probate courts, judges of municipal and police courts, clerks of United States courts and United States pension agents in the state, a list of all justices of the peace, justices of the peace and quorum, trial justices, and notaries public, whose commissions are then in force, and the evidence of whose qualifications has been filed in his office within the six months next preceding the time of forwarding such lists, which shall contain the name and residence of every such officer, the date of his commission, and the county or counties for which he is commissioned, and he shall send at the same time two copies of such lists to each of the clerks of the state courts.'

Lists of justices of the peace, etc., to be furnished clerks of courts, &c.

'SECT. 41. The clerks of the state courts shall make a memorandum on such lists of the fact and date of their reception, and either of such lists so attested, or the certificate of such clerk under the seal of his court, shall be legal but not conclusive evidence of the appointment and qualification of such officers, and at the expiration of each decade of years it shall be the duty of the clerk then in office to have one set of such lists received during the decade, bound in a substantial manner.'

Clerks of courts shall make memorandum of reception of.—attested lists or certificates of clerks, evidence of appointment.

Approved February 16, 1885.