

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,
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1885.

PUBLIC LAWS
OF THE
STATE OF MAINE.

1885.

CHAP. 274

Chapter 274.

An Act to restore the salary of the Register of Probate for Washington County.

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

Sec. 4, ch. 115,
R. S., amended.

SECT. 1. That section four, chapter one hundred and fifteen, line seventeen, of the revised statutes, be and is hereby amended by striking out the word "four," so that as amended said line shall read: Washington, five hundred dollars.

Salary restored.

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

Approved February 26, 1885.

Chapter 275.

An Act to amend chapter forty of the Revised Statutes, relating to Fish and Fisheries.

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

Sec. 19, ch. 40,
R. S., amended.

SECT. 1. Section nineteen of chapter forty of the revised statutes is hereby amended so that as amended it shall read as follows :

Close time for
lobsters between
Aug. 15 and
Oct. 1.

'SECT. 19. There shall be a close time for lobsters between the fifteenth day of August and the first day of October, during which no lobster shall be fished for, taken, caught, killed, bought, sold, exposed for sale, or in possession, in cars, pounds or otherwise, under a penalty of fifty dollars for the offence and one dollar for every lobster so taken, caught, killed, bought, sold, exposed for sale, or in possession as aforesaid; *provided, however,* that the provisions of this section shall not apply to any person taking lobsters not less than ten and one-half inches in length for the sole use and consumption of himself or family.'

—penalty.

—proviso.

Sec. 20 amended.

SECT. 2. Section twenty of said chapter is hereby amended so that as amended it shall read as follows :

Lobsters not to be
canned between
July 15 and
April 1.

—penalty.

'SECT. 20. No person or corporation shall can or preserve any lobsters between the fifteenth day of July and the first day of the following April, under a penalty of five dollars for every lobster so canned or preserved and a further

penalty of three hundred dollars for each day on which such unlawful canning or preserving is done.'

SECT. 3. Section twenty-one of said chapter is hereby amended so that as amended it shall read as follows :

Sec. 21 amended.

'SECT. 21. It is unlawful to fish for, catch, buy, sell, expose for sale or possess between the first day of October and the fifteenth day of the following August, any female lobster in spawn or with eggs attached, or any young lobster less than ten and one-half inches in length, measuring from head to tail extended, exclusive of claws or feelers, and such lobsters when caught shall be liberated alive at the risk and cost of the party taking them, under a penalty of one dollar for each lobster so caught, bought, sold, exposed for sale, or in possession not so liberated. *Provided, however,* that from the first day of April to the fifteenth day of July it shall be lawful to fish for, catch, buy, sell, expose for sale, or possess for canning and all other purposes, any lobsters not less than nine inches in length, measured as aforesaid, but not including female lobsters in spawn or with eggs attached.'

Close time for female and young lobsters, between Oct. 1 and Aug. 15.

—penalty.

Lawful to fish for, between April 1 and July 15.

—exceptions.

SECT. 4. Section thirty-three of said chapter is hereby amended so that as amended said section shall read as follows :

Sec. 33 amended.

'SECT. 33. The governor, with the advice and consent of council, shall appoint one or two persons, as they think best, to be commissioners of fisheries and game, who shall have a general supervision of the fisheries regulated by the following sections and of the game laws. Said commissioners shall examine dams and all other obstructions existing in all rivers and streams, and determine the necessity of fishways and the location, form and capacity thereof; visit those sections where fisheries regulated by this chapter are carried on, and introduce and disseminate valuable species of fish into waters where they do not exist. The governor, with the advice and consent of council, shall also appoint one other commissioner, who shall have general supervision of the sea and shore fisheries and shell fish regulated by this chapter. Said commissioners shall hold office for three years unless sooner removed. They shall examine into the workings of the fish and game laws, see that violations thereof are duly prosecuted, and perform all other duties prescribed by law.

Commissioners of Fisheries, how appointed.

—duties.

Commissioner of Sea and Shore Fisheries, to be appointed.

—terms.

—duties.

CHAP. 276

—report.

They shall report annually on or before the thirty-first day of December to the governor, who shall cause three thousand copies to be printed.'

Approved February 27, 1885.

Chapter 276.

An Act to amend section twenty-six of chapter thirty of the Revised Statutes, relating to the Disposal of Fines.

Sec. 26, ch. 30,
R. S., amended.

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

Penalties, how
recovered.

Section twenty-six of chapter thirty of the revised statutes, is hereby amended by striking out of the last clause the words "the commissioners shall appropriate the same to such society as aforesaid as they deem proper," and inserting in lieu thereof 'the same shall be paid into the county treasury,' so that said section as amended, shall read as follows :

—full costs.

—fines, how
disposed of.

—proviso.

'SECT. 26. All penalties imposed by the six preceding sections may be recovered by action of debt, or by complaint or indictment, in the name of the state, by any warden or his deputies, or any other person, in any county in which such offence is committed or the accused resides ; and in all actions therefor, in the supreme judicial or superior courts, if the plaintiff prevails, he recovers full costs without regard to the amount recovered. All fines and penalties recovered for violations of the seventeen preceding sections, except sections fifteen and sixteen, shall be paid one-half to the complainant and one-half to any game and fish protective society, or other sportsman's association organized under the laws of Maine, and located in the county where said fines and penalties are recovered ; *provided*, that said society or association expends the same in the propagation and cultivation of trout and salmon for the fresh water lakes and ponds of the state, under the direction and supervision of the fish commissioners. If more than one such society or association is located in such county, said commissioners shall designate to which society the money shall be paid, or they may cause the same to be divided between them. If there is no such society or association in said county, the same shall be paid into the county treasury.'

Approved February 27, 1885.