

# MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

SIXTY-THIRD LEGISLATURE

OF THE

STATE OF MAINE.

1887.

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PUBLIC LAWS  
OF THE  
STATE OF MAINE.

1887.

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Chapter 144.

An Act for the better protection of the Lobster Fisheries.

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

Close time for lobsters, between Aug. 1, and Sept. 15.

SECT. 1. There shall be a close time for lobsters between the first day of August and the fifteenth day of September in each year, during which no lobsters shall be taken, caught, killed, bought, sold, exposed for sale, or in possession in cars, pounds or otherwise, under a penalty of fifty dollars for each offense, and one dollar for every lobster so taken, caught, killed, bought, sold, exposed for sale, or in possession as aforesaid.

—penalty.

Traps and nets remaining in water during close time, shall be forfeited.

SECT. 2. During the close time, as set forth in the preceding section, all traps, nets, or other devices for the catching of lobsters, shall be removed from the water, there to remain during the entire close time, and all traps, nets, or other device for the catching of lobsters, which are suffered to remain in the waters in close time, shall be forfeited, and the owner or owners thereof, subjected to a penalty of twenty-five dollars for the offense, and a further penalty of five dollars for each day that such traps, nets, or devices, shall remain in the water contrary to law.

Lobster cars, etc., when in use, shall have owner's name marked thereon.

SECT. 3. All cars in which lobsters are kept, and all lobster cars while in the water, shall have the name of the owner or owners thereof on the top of the car, where it may be plainly seen, in letters not less than three-fourths of an inch in length, plainly carved or branded thereon, and all traps, nets, or other device for the catching of lobsters, shall have, while in the water, the owner's name carved or branded in like manner on all the buoys attached to said traps or other devices, under a penalty of ten dollars for each car, and five dollars for each trap or device not so marked, and if sufficient proof to establish the ownership of such cars or traps cannot be readily obtained, they may be declared forfeited, subject to the provisions of chapter ninety-eight of the revised statutes.

—penalty.

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

SECT. 4. No person or corporation shall can or preserve any lobster between the first day of July and the fifteenth 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 ; provided, however,

—penalty.

—proviso.

that it shall be lawful for dealers to preserve in pickle, or vinegar, such surplus stock as for good reasons, cannot be disposed of otherwise.

SECT. 5. It is unlawful to buy, sell, expose for sale, or possess any female lobster in spawn or with eggs attached, or any lobster less than ten and one-half inches in length, when alive or dead, cooked or uncooked, measured in manner as follows; taking the length of the back of the lobster measured from the bone of the nose, to the end of the bone of the middle flipper of the tail, the length to be taken with the lobster extended on the back its natural length, and any lobster shorter than the prescribed length 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, if it appears that he intended to liberate them in accordance with the provisions of this act, he shall not be liable to any of the penalties herein provided for, though he may have failed from any cause, not within his control, to so liberate them. The possession of mutilated, uncooked lobsters shall be prima facie evidence that they are not of the required length.

Buying, selling, etc., of female and small lobsters, prohibited.

—penalty.

—proviso.

SECT. 6. When in case of seizure, by any duly authorized officer, of any barrels, boxes, or other packages in transit, containing lobsters less than the prescribed limit of length, such lobsters as are alive and less than the prescribed limit, shall be liberated, and all such lobsters as are of the prescribed length, found in such barrels, boxes or packages, in the season for legal fishing for lobsters, shall be forfeited, and sold by the officer making the seizure thereof, at such time and in such manner as shall by him be deemed proper, and the proceeds of such sale shall be disposed of in manner as hereinafter provided. But if the owner or owners thereof, appear within twenty-four hours from time of seizure, and pay to the officer making such seizure, a fine of one dollar for each lobster less than the prescribed limit, found in the lot so seized, then the officer shall deliver to the owner thereof, such lobsters as were found to be of the legal limit.

Lobsters seized because of violations of this act, how disposed of.

SECT. 7. All fines and penalties under this act may be recovered by indictment or action of debt, and together with all forfeitures, shall go to the county in which the offense is committed.

How fines may be recovered.

**CHAP. 145**

Certain acts repealed.

SECT. 8. So much of sections twenty-two, twenty-four and twenty-five of chapter forty of the revised statutes as relates to lobsters, and sections nineteen, twenty and twenty-one of the same chapter, as amended by chapter two hundred seventy-five of the public laws of eighteen hundred eighty-five, are hereby repealed.

When act shall take effect.

SECT. 9. This act shall take effect July one, eighteen hundred eighty-seven.

Approved March 17, 1887.

**Chapter 145.**

An Act to authorize towns to hold money for Cemetery purposes.

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

Cities and towns may hold money in trust for cemetery purposes.

SECT. 1. Any person owning or interested in a lot in a public burial place of a city or town, may deposit with the treasurer of such city or town, a sum of money not exceeding five hundred dollars, for the purpose of providing for the preservation and care of such lots, or its appurtenances, which sum shall be entered upon the books of the treasurer, and held in accordance with the provisions of the ordinances or by-laws of such city or town, in relation to burials.

May pass by-laws for purposes of this act.

SECT. 2. A city or town may pass such ordinances or by-laws, as may be necessary for the purposes of this act and not repugnant to law, and may receive such money for said purposes, and may allow interest thereon, at a rate not exceeding six per cent a year.

Approved March 17, 1887.

**Chapter 146.**

An Act to amend an act entitled "An Act to further amend section eight of chapter twenty-four of the Revised Statutes," as amended by chapter two hundred and sixty-nine, Public Laws of eighteen hundred and eighty-five, approved February one, eighteen hundred and eighty-seven.

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

Ch. 9, public laws of 1887, amended.

Said above named act is hereby amended, by striking out the four last lines thereof, and insert after the word "settlement" the following, 'and this section shall not be so construed