

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

SEVENTIETH LEGISLATURE

OF THE

STATE OF MAINE

1901.

Published by the Secretary of State, agreeably to Resolves of June 28, 1820,
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PUBLIC LAWS
OF THE
STATE OF MAINE.
1901.

Chapter 220.

An Act to amend Section sixty-three of Chapter three of the Revised Statutes, as amended by Chapter three hundred and thirty-four of the Public Laws of eighteen hundred and eighty-five, relating to Fish Weirs and Wharves.

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

Section 1. Section sixty-three of chapter three of the revised statutes as amended by chapter three hundred and thirty-four of the public laws of eighteen hundred and eighty-five, is hereby amended by inserting after the word "weir" in the second line the words 'or wharf' so that said section, as amended, shall read as follows:

Section 63, chapter 3, as amended by chapter 334, public laws 1885, further amended.

'Section 63. No fish weir or wharf shall be extended, erected or maintained, except in accordance with this chapter; and no fish weir, or wharf shall be erected or maintained in tide waters below low water mark in front of the shore or flats of another without the owner's consent, under a penalty of fifty dollars for each offense to be recovered in an action by debt by the owner of said shore or flats; but this chapter does not apply to weirs, the materials of which are chiefly removed annually, provided that they do not obstruct navigation, nor interfere with the rights of others.'

Fish weirs and wharves shall be extended in accordance with this chapter.

—no weir or wharf to be set up in tide waters without consent of owner of shore or flats.

Section 2. Nothing in this act shall affect any wharves now so erected or maintained.

Existing wharves not affected.

Section 3. All acts or parts of acts, inconsistent with this act, are hereby repealed.

Inconsistent acts repealed.

Approved March 19, 1901.

Chapter 221.

An Act to amend section twenty-three of Chapter one hundred and thirty-seven of the Public Laws of eighteen hundred and eighty-seven, entitled "An Act to abolish Imprisonment for Debt except in cases of fraud."

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

Section twenty-three of chapter one hundred and thirty-seven of the public laws of eighteen hundred and eighty-seven is hereby amended by inserting in said section after the word "sub-pœna" and before the words "twenty-five" in the second line of said section the words 'seventy-five cents for entry;' and by striking out the words "one dollar" in the fourth line of said section and inserting in the place thereof the words 'twenty-five cents' so that said section, as amended, shall read as follows:

Section 23, chapter 137, public laws 1887, amended

CHAP. 222

Fees of
magistrate.—fees of
officers.—fees, by
whom paid.

'Section 23. The magistrate shall be entitled to twenty-five cents for each subpoena, seventy-five cents for entry, twenty-five cents for capias, twenty-five cents for certificate, and three dollars for each day in hearing the disclosure and other testimony, and for entering default, twenty-five cents. The fees of officers shall be the same as for service of other process of similar nature. The petitioner may if the magistrate authorizes it, procure an officer to be in attendance during the proceedings, and the fees for such attendance shall be seventy-five cents a day. The above fees shall be paid by the petitioner, and in case the oath named in section eight is administered, shall be added to the costs on the judgment and execution and taxed in detail thereon by the magistrate. In case said oath is not administered to the debtor, the petitioner shall recover his costs and said fees, as in actions before a trial justice, and the magistrate shall issue a separate execution therefor.'

Approved March 19, 1901.

Chapter 222.

An Act to correct clerical errors and make plain the meaning of and amend Chapter thirty of the Revised Statutes, as amended by Chapter forty-two of the Public Laws of eighteen hundred and ninety-nine, relating to Inland Fisheries and Game.

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

Section 17,
chapter 30,
R. S., as
amended by
chapter 42,
laws 1899,
further
amended.

Section 1. Section seventeen of said chapter thirty, of the revised statutes, as amended by chapter forty-two of the public laws of eighteen hundred and ninety-nine, is hereby amended by inserting after the word "kill" in the seventh line of said section the words 'or have in possession,' and by inserting after the word "moose" in the eighth line of said section the words 'or part thereof,' so that said section, as amended, shall read as follows:

Close time for
cow and calf
moose.—term "calf
moose" how
construed.—close time
for bull
moose from
December 1
to October 15.—only one
may be taken
in open
season.

'Section 17. No person shall at any time hunt, catch, kill, destroy or have in his possession any cow or calf moose; and the term 'calf moose' as herein used, shall be construed to mean that these animals are calves until they are at least one year old, and have at least two prongs or tines to their horns. No person shall, between the first day of December and the fifteenth day of October, in any manner, hunt, take, catch, or kill, or have in possession any bull moose or part thereof; and no person shall, between October fifteenth and December first, take, catch,