

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

SEVENTY-FIRST LEGISLATURE

OF THE

STATE OF MAINE

1903.

Published by the Secretary of State, agreeably to Resolves of June 28,
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PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1903.

CHAP. 366

Chapter 366.

An Act relating to Fire Wardens in the Town of Bucksport.

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

Duties of
fire wards.

Section 1. That the fire wards in the town of Bucksport be on duty day and night and that they have charge of the property of the town used by the fire department, that they audit all bills and keep a correct account of the expenditures and report to the selectmen annually.

Section 2. This act shall take effect when approved.

Approved March 28, 1903.

Chapter 367.

An Act to amend Chapter four hundred and ninety-five of the Private and Special Laws of eighteen hundred ninety-three, relating to the destruction of fish in the Eastern Penobscot River in the town of Orland.

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

24 hours close
time on
alewives in
Eastern
Penobscot
river.

Section 1. From and after the passage of this act no person unless authorized by the commissioner of sea and shore fisheries shall be allowed to take any alewives in the Eastern Penobscot river in the town of Orland, in the county of Hancock, with any large net, seine, spear, scoop-net, or in any weirs between sunrise on Sunday of each week and sunrise on Monday of each week, under a penalty of twenty cents for each and every alewife so taken.

Further
regulations.

Section 2. No person shall be allowed to take any alewife in said river within said town at any time above a point five hundred yards below the lower dam, under a penalty of fifty cents for each and every alewife so taken.

Taking of
alewives on
certain days
regulated.

Section 3. Any of the alewives in said river above a point five hundred yards below the lower dam may be taken by the town of Orland on Mondays, Tuesdays and Wednesdays of each week from the first day of May to the fifteenth day of July, if the town so votes at its annual meeting, and fish may be taken by the town during the season of nineteen hundred three.

Committee to
be chosen by
selectmen.

Section 4. The selectmen shall appoint a committee of not more than three persons to superintend the taking and disposal of said fish for the year nineteen hundred three. After nineteen hundred three the committee may be chosen or appointed as the town may vote.

—by town.

CHAP. 367

Section 5. No person shall be allowed to build or place in or across said river below the extreme low water mark or in or across said river above a point five hundred yards below the lower dam, any boxes or traps, weirs or nets so as to prevent said fish from passing up or down said river, under a penalty of twenty-five dollars.

Placing of seines, traps, weirs, etc., regulated.

Section 6. All nets, seines, craft, boats, barrels, tubs and salt used in taking or securing fish in violation of the provisions of this act, and all horses, wagons, carts and harnesses, used in moving fish taken from the lock at the lower falls or the fishway at the upper falls, and all fish so taken shall be forfeited, and when so used may be seized by the fish commissioner or his deputies or wardens and proceeded against as in the case of forfeiture of personal property.

Forfeitures for illegal fishing.

Section 7. The Eastern River and Sluice Company shall be required from the first day of May to the fifteenth day of July in each year to keep open, at their own expense, the large gates at the lower end and the small gates at the upper end of said lock so as to afford sufficient water for the fish to pass in at all times when tide waters are in said lock at the lower falls, except when boats, timber, rafts, spars or other lumber may be passing through said gates, and to cause some suitable person to attend the gates at the lock in order to lock in the fish and enable those which have come into or passed through the lock to go up to the fishway at the upper dam, and in case of neglect or refusal to keep open and attend said gates as aforesaid said company shall forfeit and pay the sum of ten dollars for each and every day they shall so neglect or refuse to keep open and attend said gates.

Gates of lock to be kept open for passage of fish.

—exception.

Section 8. The Eastern River and Sluice Company shall be required from the first day of May to the fifteenth day of July in each year, at their own expense, to keep the fishway at the upper dam on said river in repair and running order so as to enable the fish at all times to pass through into Great pond, so called, and in case of neglect or refusal to keep in repair and running order said fishway, the aforesaid company shall forfeit and pay the sum of ten dollars for each and every day they shall neglect or refuse to keep in repair and running order said fishway.

Fishway shall be kept in repair.

Section 9. No person shall catch or kill any young alewives on their way down through said fishways, locks or river under a penalty of ten dollars for each and every offense.

Alewives protected in passing down river.

Section 10. All weirs on said river now built or that shall be built shall be constructed with a suitable gate which shall be at least eighteen inches wide and shall extend from the top of

Construction of weirs, manner of prescribed.

CHAP. 367

-gate of weir shall be open from sunrise, Sunday, till sunrise, Monday.

-weirs shall be renewed Oct. 1.

Weirs forbidden from 1903 to 1906, both inclusive.

Throwing of waste material into river, prohibited.

Fines and penalties, to whom paid.

the pond to the bottom of the floor, which gate the owner or occupant of said weir shall keep open from sunrise on Sunday of each week until sunrise on Monday of each week, under a penalty of ten dollars to be forfeited by said owner or occupant for each and every day they shall refuse or neglect so to keep open said gate. All material used in building weirs shall be removed from said river on or before the first day of October, and if any owner or occupant of a weir shall refuse or neglect to remove said material he shall forfeit and pay the sum of twenty dollars, to be recovered by the commissioner of sea and shore fisheries or his deputies or wardens.

Section 11. No weirs shall be built on said Eastern Penobscot river in the town of Orland, during the years nineteen hundred and three, nineteen hundred and four, nineteen hundred and five and nineteen hundred and six.

Section 12. No mill waste, slabs, edgings, bark, chips, shavings, sawdust or other waste shall be thrown or put into the Eastern Penobscot river or any of its tributaries in the town of Orland, except under such rules and regulations as the commissioner of sea and shore fisheries may prescribe. Whoever violates any of the provisions of this section shall be punished by a fine of not less than five dollars nor more than one hundred dollars.

Section 13. All fines and penalties recovered under this act shall be paid to the state treasurer to be added to and made a part of the appropriation for sea and shore fisheries.

Section 14. This act shall be enforced by the state commissioner of sea and shore fisheries.

Section 15. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

Section 16. No legislation hereafter enacted shall be held to affect this act unless it specifically refers thereto.

Section 17. This act shall take effect when approved.

Approved March 28, 1903.