

# MAINE STATE LEGISLATURE

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# DOCUMENTS

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# THE LEGISLATURE

OF THE

# STATE OF MAINE,

A. D. 1859.



AUGUSTA:

STEVENS & SAYWARD, PRINTERS TO THE STATE.

1859.

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# THIRTY-EIGHTH LEGISLATURE.

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HOUSE.]

[No. 27.

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## STATE OF MAINE

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IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED AND FIFTY-NINE.

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AN ACT to regulate the taking of fish on the coast of  
Maine.

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

SECTION 1. That from and after the first day of May  
2 next, it shall not be lawful for any person, not a resi-  
3 dent of the State, to take fish of any description, with  
4 seines, drift nets, or trolls, within the bounds herein  
5 named, to wit: within one mile from the shore of  
6 the main land, or of any and all islands of the State;  
7 or upon any shoal within the jurisdiction of the State,  
8 upon which, at low water, is less than twelve fathoms  
9 of water, except as hereinafter provided.

SECT. 2. No person, not a resident of this State,  
2 shall be debared from the privilege of setting nets not

3 exceeding two hundred yards in length, and eight  
4 yards in depth, to the stern of his or their vessel, or  
5 to a mooring, for the purpose of taking bait to be used  
6 in the ordinary business of cod fishing; but in no case  
7 shall the bait so taken be salted and transported from  
8 the State.

SECT. 3. Any net, more than two hundred yards in  
2 length, or more than eight yards in depth, shall be  
3 deemed a seine.

SECT. 4. Any line, upon which is fastened more  
2 than two hooks, shall be deemed a troll.

SECT. 5. Any vessel, not owned in the State, found  
2 engaged in seining, netting or trolling, within the  
3 limits above described, contrary to the provisions of  
4 this law, shall forfeit all fish so taken, all seines, nets,  
5 or trolls, found on board, and shall, for each offence,  
6 forfeit the sum of one hundred dollars in money.

SECT. 6. All fines and forfeitures which may be in-  
2 curred for offences against this act, shall be one-half  
3 to him or them who first sue for the same, and the  
4 other half to the use of the common schools in the  
5 town where such complainant or complainants reside,  
6 and the said fines and forfeitures may be recovered by  
7 action of debt or trespass, before any court competent  
8 to try the same within the county where such offence  
9 is committed.

SECT. 7. Any person or persons may seize such vessel, boat, craft, and apparatus of every kind employed in unlawful fishery, and detain said property not exceeding twenty-four hours, in order that it may be attached and taken by due process of law, to satisfy any judgment that may be recovered; but it shall, at any time, be released on payment by the owner or master, of the fine, costs and reasonable expenses.

SECT. 8. All laws inconsistent with the provisions of this act are hereby repealed.

STATE OF MAINE.

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HOUSE OF REPRESENTATIVES, March 18, 1859.

By Mr. COLE of Gouldsborough, laid on the table, and 350 copies  
of the same ordered to be printed for the use of the Legislature.

GEO. W. WILCOX, *Clerk.*