

Laws of Maine, transcribed 2016 by RRCT

In the year of our Lord 1834

An act to regulate the taking of fish in Royals River in the Town of North Yarmouth

Section 1. Be it enacted by the Senate and House of Representatives in Legislature assembled, that from and after the passing of this act, it shall be lawful for the inhabitants of the town of North Yarmouth at their annual meeting in the month of March or April annually to choose by ballot a fish committee of not more than seven nor less than three persons inhabitants of said town, who shall be sworn to the faithful discharge of their duty; and it shall be the duty of said committee to cause all the locks, sluices or fish ways which may be built around through or over any dams or other obstructions on Royals River or the branches thereof in said town as hereinafter provided to be kept open and free for the passage of salmon, shad and alewives up and down said stream during such parts of the year as said town shall by vote order and direct; and said committee shall have the power to remove all obstructions to the free and convenient passage of said fish up and down said river during the times prescribed by the town as aforesaid; and in the discharge of the duties required by said act may pass over and upon the lands of any person through or by which said river or its branches run within said town without being considered trespassers; and any person hindering or molesting said committee or either of them in the discharge of his duty in said office or who shall in any way obstruct said locks, sluices or passage ways or cause any obstructing in said river or branches during the time they are to be kept open as aforesaid, he or they so offending shall forfeit and pay a sum of not more than twenty nor less than five dollars for each offense.

Section 2. *this section deals with the appointment of the committee members and terms of service.*

Section 3. Be it further enacted that said town of North Yarmouth shall have power at its own expense and under the superintendence of said committee to make and maintain and keep in repair a good and sufficient lock, sluice or fish way around, through or over any and every dam now existing across said river or its branches within the limits of said town, and said town shall have the power at their annual meetings in March or April to direct by vote around, through or over what and how many of the dams across said stream or branches within said town such passages for fish shall be built, and during what part or parts of the year the same shall be kept open and free for the passage of said fish and to designate on what days and times and in what manner it shall and may be lawful to take said fish in said stream or branches within said town; provided that no such a sluice or fishway shall be made as to draw water more than eighteen inches below the top of such dam at the lowest part thereof.

Section 4. Be it further enacted that if the owner or owners or any occupant of any mill or dam on said river or any branch thereof in said town shall refuse to let the aforesaid committee and upon said locks sluices or fish ways around, over or through the several dams aforesaid, or in any way obstruct their operations in removing lumber, logs, timber or other obstructions or shall draw away the water so that it shall not run through said sluice ways and so as to prevent the fish from ascending or descending said river or branches and shall not immediately remove such obstructions or hindrance they shall each of them forfeit and pay for each time they shall so offend not more than ten dollars nor less than five dollars. Provided that if any dam across said river shall be injured by reason of opening said fishways in it or if any owner or occupant of any mill or dam when actually employing the same shall be required by said the committee to shut down his gate in order to raise sufficient water to enable the fish to

pass through said fish ways, then the owner or owners or occupant and thereof shall receive a reasonable compensation therefore to be agreed upon between such owner or occupant and the fish committee, or in case of disagreement to be assessed by a committee to be appointed in the manner specified in the eighth section of this act .

Section 5. *This section grants to the town the right to sell the privilege of taking fish in the river.*

Section 6. *This section prohibits taking of fish above Parker's Point until 1 July, 1837, w/o permission of the town, and prescribes penalties.*

Section 7. *Provides that parents and guardians shall be answerable for offenses by minors.*

Section 8. *See last sentence in Section 4.*

Section 9. *Disposition of penalties collected under this act.*

*This bill apparently passed on 18 July, 1834.*