

**PUBLIC LAWS
RELATING TO SHELL
FISHERIES, 1909**

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Public Laws Relating to Shell Fisheries, 1909 by Rhode Island

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Law, State of R.I.

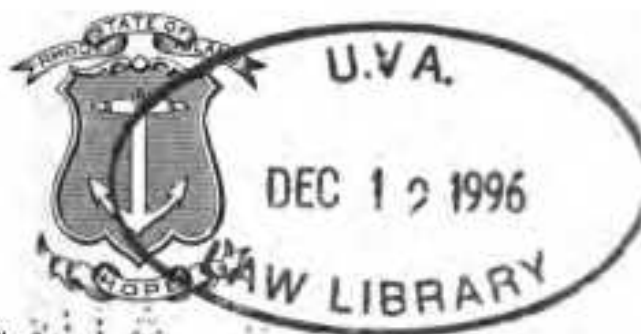
State of Rhode Island.

PUBLIC LAWS

RELATING TO

SHELL FISHERIES.

1909.



PROVIDENCE, R. I.

E. L. FREEMAN COMPANY, STATE PRINTERS.

1909.

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COMMISSIONERS OF SHELL FISHERIES.

	P. O. Address.
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JOHN H. NORTEUP.....	Apponaug, R. I.
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JAMES C. COLLINS, <i>Clerk</i>	Providence, R. I.

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PUBLIC LAWS

RELATING TO

SHELL FISHERIES.

CHAPTER 853.

AN ACT IN AMENDMENT OF AND IN ADDITION TO CHAPTER 170 OF THE GENERAL LAWS, ENTITLED "OF PRIVATE AND SEVERAL OYSTER FISHERIES."

Passed March
29, 1901.

*It is enacted by the General Assembly
as follows:*

SECTION 1. There shall be elected by the general assembly, in grand committee, five commissioners of shell fisheries, one from each county, who shall hold office for the term of five years and until their successors, respectively, shall be elected and qualified to act. Any vacancy that may occur in said offices while the general assembly is not in session may be filled by the

Commissioners
of shell fisheries,
how elected
and term of
office.

governor until such time as some person elected by the general assembly, in grand committee, to fill such vacancy, shall be qualified to act. Any person elected by the general assembly to fill such vacancy shall hold office for the unexpired term of the person whose place he is elected to fill. They shall have power and authority to elect a clerk and prescribe his duties: *Provided*, that nothing in this act shall be so construed as to affect the tenure of office of the present commissioners of shell fisheries, who shall continue to hold their offices for the terms for which they were elected.

To give bond.

SEC. 2. The said commissioners, previous to entering upon the duties of their office, shall severally give a bond, with sureties satisfactory to the general treasurer, in the sum of one thousand dollars, with condition to faithfully perform the duties of the office according to law.

To make annual report.

SEC. 3. The said commissioners shall make annual report to the

general assembly, at its January session, of their doings and the condition of this department of the public service, including a detailed statement of all moneys received and expended on account thereof.

SEC. 4. The said commissioners shall have an office in the state house in the city of Providence, where the maps, charts, books, leases, and other property connected with said commission shall be kept.

SEC. 5. Each of said commissioners shall, by virtue of his office, make complaints for any violation of the laws of this state relating to shell fisheries, and of any subsequent amendments thereof, without giving recognizance or surety for costs.

SEC. 6. The said commissioners may appoint such deputies as they shall deem necessary for the detection and prosecution of any violation of the laws of this state relating to shell fisheries. Each of said deputies appointed as aforesaid shall be, by virtue of his office, a special con-

stable, and as such deputy may, without warrant, arrest any person found violating any of said laws, and detain him for prosecution not exceeding twenty-four hours, and may seize any boat or vessel used in such violation, together with her tackle, apparel, and furniture, and all implements belonging thereto. Said commissioners may make all necessary regulations for the enforcing of said laws, and they shall be allowed their actual disbursements made in carrying the same into effect.

May lease certain lands as private oyster ground.

SEC. 7. Said commissioners may, unless otherwise by statute prohibited, agree to lease in the name of the state, by public auction or otherwise, to any suitable person, being an inhabitant of this state, any piece of land within the state, covered by four feet of tide-water at mean low tide as delineated upon the plats in the office of commissioners of shell fisheries, and not within any harbor line, to be used as

a private and several oyster fishery for the planting and cultivation of oysters thereon, upon such terms and conditions as they may deem proper, but not for a longer term than ten years or for a shorter term than five years, nor for a rent of less than ten dollars per annum for every acre to be leased, where the water is of the depth of less than twelve feet at mean low water, as shown on the plats in the office of the commissioners of shell fisheries, and not agreeing to lease more than one acre at a time in one lot or parcel to one person or firm; but in drawing such leases said commissioners may include in the instrument of lease one or more acres of land so leased by them, and all such leases shall be made and executed free of expense to the lessees; and neither of such commissioners shall at any time be interested in any lease of ground for planting oysters, or in the cultivation or product thereof: *Provided, how-*