

# MAINE STATE LEGISLATURE

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ACTS AND RESOLVES  
OF THE  
SIXTIETH LEGISLATURE

OF THE  
STATE OF MAINE.

1881.

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Published by the Secretary of State, agreeably to Resolves of June 28, 1820,  
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1881.

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PUBLIC LAWS

OF THE

STATE OF MAINE.

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SECT. 4. All acts or parts of acts, inconsistent with the foregoing sections, are hereby repealed.

CHAP. 65.

Inconsistent acts  
repealed

Approved March 15, 1881.

### Chapter 65.

An act providing that Paupers in a certain class of plantations, shall be under the care of the Assessors of such plantations.

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

Persons found in plantations having a population of more than two hundred, to be determined by the returns of the county commissioners, as provided by section forty-six of chapter three of the revised statutes, and a state valuation of forty thousand dollars, and needing relief, shall be under the care of the assessors of such plantations; and the duties and powers of such assessors relative to such persons, shall be the same in every respect as overseers of the poor in towns now have, in like cases; and such plantations are hereby authorized and required to assess and raise all necessary sums of money to defray the expense incurred in the care of such persons; and when relief shall be so provided, the plantations so furnishing it, are entitled to the same remedies against the towns of their settlement, that towns would have in like cases. But the provisions of this law shall not extend to, or effect the existing laws concerning so called state paupers or pauper's settlements.

Persons needing relief in certain plantations, to be under care of assessors.

Plantations to raise money to defray expense and have same remedies as towns.

Provisions concerning state paupers not effected.

Approved March 15, 1881.

### Chapter 66.

An act to amend section five of chapter one hundred and seven of the Revised Statutes, relating to depositions.

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

Section five of chapter one hundred and seven of the revised statutes, is hereby amended, by substituting in place of the word "the," the word 'any,' in the second line of said

Sec. 5, ch. 107,  
R. S., amended.

**CHAP. 67.** section, and after the word "deponent," to insert the words, 'except the adverse party,' so that said section, as amended, shall read as follows :

On application, justice or notary may issue summons to deponent and notice to party.

'SECT. 5. On application of either party to a justice of the peace or notary public, he may issue a summons to any deponent, except the adverse party, to appear at a designated time and place, to give his deposition, and a notice to the adverse party to be then and there present; and the deposition may then and there be taken by him or any other justice or notary, but the deposition of such adverse party may be taken by commission in like manner as is now provided for taking depositions of other witnesses by commission.'

Approved March 15, 1881.

### Chapter 67.

An act to amend section eleven, chapter seventy-five of the Public Laws of eighteen hundred and seventy-eight, relating to the taking of smelts, entitled "An act to regulate and protect fisheries and the propagation of fish."

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

Sec. 11, ch. 75, public laws of 1878, amended.

Section eleven of chapter seventy-five of the public laws of eighteen hundred and seventy-eight, is hereby amended by striking out the word "November," in the fourth line, and inserting in place thereof, the word 'October,' so that said section as amended shall read as follows :

Restrictions in regard to taking smelts.

—penalty.

'SECT. 11. No smelts shall be taken or fished for in any of the tidal waters in this state, in any other manner than by hook and line, between the first day of April and the first day of October in each year, under a penalty of not less than ten dollars, nor more than thirty dollars for each offense, and a further penalty of twenty cents for each smelt so taken, and all weirs for the capture of smelts shall be opened, and so remain, and all nets of any kind used in the smelt and tom-cod fishery shall be taken from the water on or before the said first day of April in each year, under a penalty of not less than twenty, nor more than fifty dollars, and a further fine of five dollars per day for each day that any such weir or net remains in violation of law; but weirs which have catch-pounds, covered with net, the meshes of which are one