

# 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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PUBLIC LAWS

OF THE

STATE OF MAINE.

1881.

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## Chapter 76.

An act concerning Public Parks and Squares.

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

Certain towns and cities may upon petition take lands for public parks or squares.

SECT. 1. Any town or city, containing more than one thousand inhabitants, upon petition in writing signed by at least thirty of the citizens thereof, who are tax payers, directed to the municipal officers, describing the land to be taken as herein provided, and the names of the owners thereof, so far as they are known, at a legal meeting of such town, or of the mayor, aldermen and city council of such city, may direct the municipal officers of such town or city to take suitable lands for public parks or squares; and thereupon such municipal officers shall have power and authority to take such land for such purpose, but such land shall not be taken without the consent of the owner, if at the time of filing such petition with such municipal officers, or in the office of the clerk of such town or city, such land is occupied by a dwelling house wherein the owner thereof or his family reside.

Municipal officers shall give written notice of intention to take land.

SECT. 2. Whenever the municipal officers of such town or city shall be directed to take land as provided by section one of this act, they shall, within ten days thereafter, give written notice of their intention to take such land, describing the land to be taken, and the time and place of hearing, by posting the same in two public places in the town where the land lies, and in the vicinity of such land, and by publishing the same in some newspaper printed in such town or city, seven days before the day of such hearing, and if no newspaper is printed in such town or city such notice shall be given in some newspaper printed in the county where the land lies, three weeks successively, the last publication to be seven days before such hearing. The municipal officers shall meet at the time and place specified in the notice, view the land to be taken, hear all parties interested, and if they decide that the land is suitable for the purpose for which it is to be taken, they shall take the same and estimate the damages to be paid to each person owning the same, or interested therein, so far as they are known, to said municipal officers, and shall make return of their doings in writing, signed by them or a majority of them, which return shall describe by

Hearing to be given, damages to be paid and return filed in clerk's office.

metes and bounds the land so taken, and shall state the purpose for which it is taken, the names of the owners, so far as they are known, and the amount of damages awarded to each, which return shall be filed and recorded in the clerk's office of such town or city, and a copy thereof, certified by such clerk, shall be recorded in the registry of deeds for said county.

SECT. 3. Any person aggrieved by the estimate of damages may appeal therefrom by filing, within thirty days, in the office of the county commissioners for the county where the land is taken, a petition in writing, signed by the party aggrieved, his agent or attorney, describing the land taken, the interest of the petitioner therein, the amount of damages awarded therefor, and claiming an appeal to the county commissioners from the estimate of the municipal officers. A certified copy of such petition shall be served upon such municipal officers, by leaving the same in the clerk's office of such town or city, at least fourteen days before the hearing thereon; and the subsequent proceedings relating to the hearing upon such petition and damages shall be the same as now provided respecting highways. When such damages shall be finally determined, they shall be certified to the clerk of such city or town, and paid by the treasurer thereof.

Appeal from estimate of damages may be taken to county commissioners.

SECT. 4. This act shall take effect when approved.

Approved March 16, 1881.

## Chapter 77.

An act for the protection of Alewives.

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

SECT. 1. No alewives shall be taken, killed or fished for in any waters within the jurisdiction of this state, between the fifteenth day of July of each year and the first day of April following, nor at any time in non-tidal or non-navigable waters, by means of any net other than the ordinary hand dip-net, under penalty of ten dollars for each offense, and one dollar additional for each fish so taken or killed.

Close-time for alewives established.

SECT. 2. This act shall take effect when approved.

Approved March 16, 1881.