

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

SIXTY-FIFTH LEGISLATURE

OF THE

STATE OF MAINE.

1891.

Published by the Secretary of State, agreeably to Resolves of June 28, 1820,
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1891.

PUBLIC LAWS
OF THE
STATE OF MAINE.

1891.

CHAP. 67**Chapter 67.**

An Act to amend section forty-six, of chapter one hundred and twenty-two of the Public Laws of eighteen hundred and eighty-seven, to provide for the better protection of Smelts.

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

Sec. 46, ch. 40,
R. S., amended.

Section forty-six of chapter forty of the revised statutes as amended by section one of chapter one hundred and twenty-two of the public laws of eighteen hundred and eighty-seven, is hereby amended by striking out the words, "and twenty-fifth day of April," in the twentieth line, and inserting instead thereof, the words, 'first day of April and the first day of May, and all smelts caught by dip nets, between said days, may be lawfully offered for sale and sold in this state,' and also by adding to said section the words, 'nor to smelts taken in Casco bay between the fifteenth day of September and the first day of October,' so that said section, as amended, shall read as follows:

Smelts, taking
of, restricted.

‘SECT. 46. No smelts shall be taken or fished for in tidal waters, except by hook and line, between the first days of April and October, under a penalty of not less than ten, 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 used in the smelt and tom-cod fishery, shall be taken from the water on or before said first day of April, under a penalty of not less than twenty nor more than fifty dollars, and a further fine of five dollars for each day that any such weir or net remains in violation of law, but weirs with catch pounds covered with net, the meshes of which are one inch square in the clear, or greater, are not subject to this section. But no smelts caught in such weirs after the first day of April, shall be sold or offered for sale in this state, nor shall smelts caught in any manner between the first day of April and the first day of October following, be offered for sale, sold, or shipped from the state under a penalty of twenty-five dollars for each offense; provided, however, that dip nets may be used between the first day of April and the first day of May, and all smelts caught by dip nets between said days, may be lawfully offered for sale and sold in this state; provided, further, that this section does not apply to smelts taken in the Androscoggin river above the Merry Meeting Bay bridge, between

the first days of October and November, nor to smelts taken in the Penobscot river and its tributaries between the first and fifteenth days of April, nor to smelts taken in Casco bay between the fifteenth day of September and the first day of October.'

Approved March 17, 1891.

CHAP. 68

Chapter 68.

An Act to amend section twenty-six of chapter fifty-nine of the Revised Statutes, respecting the Commitment of Children to Charitable Institutions.

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

SECT. 1. Section twenty-six of chapter fifty-nine of the revised statutes is hereby amended, by adding to said section the following words :

Sec. 26, ch. 59,
R. S., amended.

'An order to the same effect may be made by the probate court in any county where either of the parents of a child resides, upon petition of the superintendent of any such public or charitable institution asking for the care, custody and control of such child, if written consent be given as provided in section thirty-three of chapter sixty-seven of the revised statutes. Such orders and decrees shall have the same effect to divest the parents of all legal rights in respects to such child as specified in section thirty-five of said chapter sixty-seven, and said institution shall have full control over said child thereafter, for said time, and have authority alone to give the consent required in said section thirty-three,' so that said section shall read as follows :

'SECT. 26. Upon making such record such municipal officers or some person appointed by them for that purpose, shall make complaint under oath to a judge of a court or to any trial justice, which complaint shall contain, in substance, the allegations set forth in said petition, and a prayer that such provision may be made for the care, custody, support and education of the child named in said complaint as justice requires, and thereupon the magistrate, before whom such complaint is made, shall issue his warrant and cause such child to be brought before him, and if, upon notice and hearing, it appears that the allegations of the complaint are true, and that justice requires that such child shall be supported

Municipal officers may make complaint to court or trial justice.

—proceedings before magistrate.

—magistrate may order child to be placed in charitable institution or with private person.