

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

STATE OF MAINE

ENACTED BY THE

Seventy-Seventh Legislature

1915

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PUBLIC LAWS
OF THE
STATE OF MAINE

As Passed by the Seventy-Seventh Legislature

1915

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CHAP. 116

Chapter 116.

An Act to Amend Section One of Chapter Ninety of the Public Laws of Nineteen Hundred Eleven Entitled, "An Act Relating to the Protection of Smelts Along the Coast of Maine from Casco Bay to Penobscot Bay."

Be it enacted by the People of the State of Maine, as follows:

Ch. 90, Sec.
1, P. L., 1911,
amended.

—addi-
tional.

Section one of chapter ninety of the Public Laws of nineteen hundred eleven is hereby amended by adding to said section the following words 'this act shall not apply to the waters along the coast of Maine between Martin's Point and White Head in the county of Knox,' so that said section as amended shall read as follows:

Smelt fish-
ing regu-
lated in cer-
tain waters
along the
Maine
coast.

'Section 1. No smelts shall be taken or fished for in the tidal waters along the coast of Maine within one-half mile of the coast line at mean high water mark starting from Cape Small Point on the west bank of the Kennebec river and continuing easterly along the coast of Maine to Owls Head in Penobscot bay, except by hook and line or weirs or set nets through the ice, under penalty of not less than ten nor more than fifty dollars for each offense. This act shall not apply to the waters along the coast of Maine between Martin's Point and White Head in the county of Knox.'

—excep-
tion.

Approved March 16, 1915.

Chapter 117.

An Act to Amend Section One of Chapter Two Hundred Three of the Public Laws of Nineteen Hundred Three, Relating to the Preservation of Town Records of Births, Marriages and Deaths Previous to the Year Eighteen Hundred Ninety-two.

Be it enacted by the People of the State of Maine, as follows:

Ch. 203, Sec.
1, P. L., 1903,
amended.

Section one of chapter two hundred three of the Public Laws of nineteen hundred three is hereby amended by striking out the words "five hundred" in the sixteenth line of said section and inserting in place thereof the words 'one thousand,' so that said section, as amended, shall read as follows:

'Section 1. Whenever the record of the births, marriages, and deaths previous to the year eighteen hundred ninety-two, beginning at the very earliest date, of any town in this State, shall be collected from church records, church registers, records of clergymen, family bibles, public records and other available sources, and shall be printed and verified in the manner required by the standing committee of the Maine Historical Society, under the editorship of some person selected by

said committee, whose services shall be rendered free and without any compensation, and the work shall appear to them to have been prepared with accuracy, the Secretary of State shall purchase five hundred copies of such record at a price not exceeding one cent per page; provided, that the written copies of the town records shall become the property of the State, and shall be deposited in the office of the State Registrar of Vital Statistics; and provided, further, that not more than one thousand dollars shall be expended by authority of this act in any one year.'

CHAP. 118

Secretary of State shall purchase verified records when accurate.
—proviso.

Approved March 17, 1915.

Chapter 118.

An Act to Amend Section Thirty-five of Chapter Eighty-four of the Revised Statutes, Relating to Proceedings on Demurrers.

Be it enacted by the People of the State of Maine, as follows:

Section thirty-five of chapter eighty-four of the Revised Statutes is hereby amended by adding at the end thereof the following sentence, 'But by leave of court the time therefor may be enlarged, or further time may be granted by the court within which to pay said costs and to file such amendment or new pleadings,' so that said section, as amended, shall read as follows:

Ch. 84, Sec. 35, R. S., amended.

—additional.

'Section 35. A general demurrer to the declaration may be filed; and in any stage of the pleadings either party may demur, and the demurrer must be joined, and it shall not be withdrawn without leave of court, and of the opposite party; but the justice shall rule on it, and his ruling shall be final unless the party aggrieved excepts; and before exceptions are filed and allowed, he has the same power as the full court to allow the plaintiff to amend, or the defendant to plead anew. If the law court deems such exceptions frivolous, it shall award treble costs against the party excepting from the time the exceptions were filed. If the declaration is adjudged defective and is amendable, the plaintiff may amend upon payment of costs from the time when the demurrer was filed. If the demurrer is filed at the first term and overruled, the defendant may plead anew on payment of costs from the time when it was filed, unless it is adjudged frivolous and intended for delay, in which case judgment shall be entered. At the next term of court in the county where the action is pending, after a decision on the demurrer has been certified by the clerk of the district to the

Demurrers, when filed, shall be joined, and not withdrawn.

—exceptions, how dealt with.

—amendments may be made.

—further proceedings may be had.