

# MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

Eighty-fifth Legislature

OF THE

STATE OF MAINE

1931

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**PUBLIC LAWS**  
OF THE  
**STATE OF MAINE**

As Passed by the Eighty-fifth Legislature

**1931**

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## CHAP. 96

year; except smelts may be taken from April first to May first of each year by hook and line, gill nets, and hand dip nets and brush weirs.'

Approved March 30, 1931.

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## Chapter 96.

**AN ACT with Respect to the Trial Terms of the Superior Court within and for the Counties of Androscoggin and Franklin.**

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

**Sec. 1. R. S., c. 91, sec. 21; relating to trial terms, amended.** Section twenty-one of chapter ninety-one of the revised statutes is hereby amended by striking out the word "October" in the second line of the second paragraph of said section twenty-one and by substituting therefor the word 'September'; by striking out the word "December" in said second line, and by substituting therefor the word 'November'; and by striking out the word "October" in the third line of said section and by substituting therefor the word 'September'; so that said second paragraph when amended shall read as follows:

**'Androscoggin terms changed.** Androscoggin: At Auburn on the first Tuesdays of January, March, April, June, September and November for civil and criminal business, provided that the grand jury shall attend only at the January, June and September terms, unless specially summoned by order of a justice of said court. All recognizances for appearance to abide action by the grand jury shall be for appearance at the term at which the next regular session of the grand jury is held, but appeals in criminal as well as civil matters and removals shall be to the next regular term.'

**Sec. 2. Superior court terms in Franklin county.** The aforesaid section twenty-one is hereby further amended by striking out the word "September" in the second line of the fifth paragraph thereof and by substituting therefor the word 'October'; so that said fifth paragraph when amended shall read as follows:

**'Franklin terms changed.** Franklin: At Farmington on the first Tuesday of February, second Tuesday of May and second Tuesday of October; the May term shall be held without a grand jury and with but one traverse jury, unless a justice of said court shall otherwise specially order, in which case the clerk shall send venires for the requisite number of traverse jurors, and shall summon the grand jury of the preceding term, as the terms of said order may require. All recognizances from municipal courts and trial justices in which parties are held to await the action of

the grand jury, made returnable to said May term, shall, when no grand jury is in attendance, be continued to and have day in the next term of the court held in said county.'

**Sec. 3.** Provisions for return of writs, etc., issued before effective date of this act. All writs, processes and precepts issued, and recognizances taken, before this act shall take effect and returnable into said superior court at the October term of said court in Androscoggin county and at the September term of said court in Franklin county, shall have day and date in said court in the respective terms of said superior court provided for by this act.

Approved March 30, 1931.

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## Chapter 97.

### AN ACT Relating to Close Time on Damariscotta River.

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

**R. S., c. 50, sec. 79, amended,** relating to close time on Damariscotta River. Section seventy-nine of chapter fifty of the revised statutes is hereby amended by striking out the last sentence in said section and by adding after the word "ledge" the words 'or to the Damariscotta river below the bridge at Damariscotta,' so that said section as amended shall read as follows:

**'Sec. 79. Weekly close time for salmon, shad, alewives, and bass; how observed; penalty; exceptions.** Between the first day of April and the fifteenth day of July there shall be a weekly close time of forty-eight hours from sunrise on each Saturday morning to sunrise on the following Monday morning, during which no salmon, shad, alewives, or bass, shall be taken. During the weekly close time all seines, nets, and other movable apparatus shall be removed from the water. Every weir shall have, in that part where the fish are usually taken, an opening three feet wide, extending from the bottom to the top of the weir, and the netting or other material which closes the same while fishing, shall be taken out, carried on shore and there remain during the weekly close time, to the intent that during said close time the fish may have a free and unobstructed passage through such weir or other structure, and no contrivance which tends to hinder such fish shall be placed in any part thereof. If the enclosure where the fish are taken is furnished with a board floor, an opening extending from the floor to the top of the weir is equivalent to one extending from the bottom to the top. The penalty for the violation of this section is