

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

Eighty-sixth Legislature

OF THE

STATE OF MAINE

From April 4, 1931, to March 31, 1933

AND MISCELLANEOUS STATE PAPERS

Published by the Secretary of State in conjunction with the Revisor of Statutes in accordance with the Resolves of the Legislature approved June 28, 1820, March 18, 1840, March 16, 1842, and an Act approved April 2, 1931.

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1933

PUBLIC LAWS
OF THE
STATE OF MAINE

As Passed by the Eighty-sixth Legislature

1933

[supplied from page 1 of volume]

Chapter 13.

AN ACT Repealing Obsolete Sections.

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

Chapter 48, §§ 7-17, repealed. Sections 7 to 17, inclusive, of chapter 48 of the revised statutes are hereby repealed.

Approved March 1, 1933.

Chapter 14.

AN ACT Relating to Hearings in Vacation.

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

R. S. c. 96, § 39, amended. Section 39 of chapter 96 of the revised statutes is hereby amended to read as follows:

'Sec. 39. Hearings and judgments in vacation. Any justice of the superior court on application of either party and on notice, may in vacation hear and determine a demurrer or any interlocutory motion in any cause pending, and may make any order therein which the court could make if in session; and by agreement of parties, he may, at any time or place, try and determine issues of fact and of law submitted to him and render any judgment therein which the court could render if in session. Any such justice may in vacation render judgment in any case heard by him in term time. Parties shall have the right of exception to such orders and judgments, and to other rulings on questions of law, as if judgment had been rendered in term time. Bills of exceptions in such cases shall be filed within 30 days from the rendition of judgment, unless the time is further extended by any justice of such court. When a judgment for the plaintiff is rendered in vacation, all pending attachments of property shall continue in force for 30 days after ~~order of final judgment is entered upon the docket,~~ the next term in that county.'

Approved March 1, 1933.

Chapter 15.

AN ACT Relating to Qualifications of County Attorneys.

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

County attorneys shall be members of the Maine bar. Section 15 of chapter 93 of the revised statutes is hereby amended to read as follows:

'Sec. 15. Election of county attorneys; vacancies. County attorneys

shall be elected and notified, their elections determined and vacancies filled in the same manner, and they shall enter upon the discharge of their duties at the same time as is provided respecting county commissioners, but they shall hold office for two years. ~~None but a permanent resident of the county shall hold such office~~ Only attorneys at law admitted to the general practice of law in this state, and resident in the county, shall be elected or appointed as county attorney, and removal therefrom vacates the office. Whenever the governor and council, upon complaint and due notice and hearing, shall find that a county attorney has violated any statute, or is not performing his duties faithfully and efficiently, they may remove him from office and appoint another attorney in his place for the remainder of the term for which he was elected.'

Approved March 1, 1933.

Chapter 16.

AN ACT Discontinuing Publishing Lists of Costs.

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

R. S. c. 148, § 13, repealed. Section 13 of chapter 148 of the revised statutes is hereby repealed.

Approved March 1, 1933.

Chapter 17.

AN ACT Relating to Fishing in Lake Penneesseewassee and Sand Pond.

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

Sec. 1. Trout fishing in tributaries to Big Penneesseewassee. The tributaries to Big Lake Penneesseewassee are hereby opened to trout fishing under the general law.

Sec. 2. Smelt fishing in Big Penneesseewassee and Little Penneesseewassee and tributaries. It shall be unlawful to take smelts in any manner from Big Lake Penneesseewassee and Little Lake Penneesseewassee, and their tributaries.

Sec. 3. Ice fishing in Big Penneesseewassee. Big Lake Penneesseewassee is hereby opened to ice fishing under the general law.

Sec. 4. Trout limit in Big and Little Penneesseewassee and Sand Pond. It shall be unlawful for any person to take, catch and kill at any time in any one day more than 5 trout, from either Big Lake Penneesseewassee,