

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

Eighty-eighth and Eighty-ninth
Legislatures

OF THE

STATE OF MAINE

From April 24, 1937 to April 21, 1939

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 Acts approved
August 6, 1930 and April 2, 1931.

KENNEBEC JOURNAL
AUGUSTA, MAINE
1939

PUBLIC LAWS

OF THE

STATE OF MAINE

As Passed by the Eighty-ninth Legislature

1939

CHAP. 33

and the Lower Falls, so-called, except by the ordinary mode of angling with single hook and line or artificial flies; nor shall hook and line or artificial flies be used at any time within 100 yards of any fishway, dam or millrace; but this section shall not apply to the taking of alewives by the town of Warren in the Georges river, and by the town of Waldoboro in Medomak river, under the authority granted said towns by a private and special law of Massachusetts passed the 6th day of March, 1802, and amendments thereof passed by the legislature of this state; nor shall it apply to the taking of alewives by the town of Woolwich in Nequasset stream; nor shall it apply to the taking of alewives by the West Harbor Ice Company in the water below its fishway, erected under authority given by chapter 140 of the private and special laws of 1905, nor shall it apply to the taking of eels, alewives, shad or smelts with dip nets, or live bait as prescribed by chapter 38 of the revised statutes, as revised, in the Saco river. ~~This section shall not apply to the Laconia Falls and the Lower Falls, so-called, of the Saco River, located at Biddeford and Saco, and upon the 1st 3 days of each week, from the 1st of June to the 1st of September of each year, all persons may dip for shad and alewives at the falls last named above.~~ Any person may take any salmon, shad or alewives in the waters of Orange river in the town of Whiting in the county of Washington, up to 130 yards of the fishway at the lower dam in said river; subject, however, to all the laws of the state, and laws regulating the taking of such fish in said river. Any person may take any salmon, shad or alewives in the waters of the Kennebec river in the city of Augusta between the Augusta highway bridge and the Augusta dam, by fly fishing only, from the 1st day of May to the 1st day of October of each year. The penalty for any violation of this section is a fine of not less than \$10 nor more than \$50 for each offense and a further fine of \$10 for each salmon and \$1 for each shad, alewife or other migratory fish so taken.'

Approved March 2, 1939.

Chapter 33

AN ACT Relating to Adoption of Children.

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

R. S., c. 80, § 35, amended. Section 35 of chapter 80 of the revised statutes is hereby amended to read as follows:

'Sec. 35. Who may adopt a child. Any unmarried inhabitant of the state, or any husband and wife jointly, may petition the judge of probate

for their county for leave to adopt a minor child and for a change of his name. Any husband and wife jointly may present such petition for the adoption of a child of either, regardless of age. Any unmarried inhabitant of another state, or any non-resident husband and wife jointly, may present such petition in the probate court of the county where such child lives.'

Approved March 2, 1939.

Chapter 34

AN ACT Relative to Taking Tuna.

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

R. S., c. 50, additional. Chapter 50 of the revised statutes, as revised by chapter 2 of the public laws of 1933, is hereby amended by adding thereto a new section, to be numbered 99-B, and to read as follows:

'Sec. 99-B. Fishing for tuna. It shall be unlawful to take, catch, kill or have in possession any tuna or horse mackerel, so-called, taken by any method other than harpoon or single hook and line, within the territorial waters of the state of Maine.

All boats, seines or other contrivances together with the contents thereof, used contrary to the provisions of this section shall be seized by any officer engaged in the enforcement thereof and disposed of as provided by law.'

Approved March 2, 1939.

Chapter 35

AN ACT Relating to Distribution of Patent Medicines.

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

R. S., c. 135, § 12, amended. Section 12 of chapter 135 of the revised statutes, is hereby amended to read as follows:

'Sec. 12. Throwing or leaving samples of patent medicines upon door steps, and streets; penalty. Any person, firm, or corporation who, by himself, his servant, or agent, or as the servant or agent of any other person or firm, leaves, throws, or deposits, or has in his possession with intent to leave, throw, or deposit upon the doorstep, hall, porch, doorway, vestibule, or premises owned or occupied by another, or distributes on any street, any