

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES
AS PASSED BY THE
Eighty-ninth and Ninetieth
Legislatures

OF THE
STATE OF MAINE

From April 21, 1939 to April 26, 1941
AND MISCELLANEOUS STATE PAPERS

Published by the Revisor of Statutes in accordance
with the Resolves of the Legislature approved June
28, 1820, March 18, 1840, March 16, 1842, and Acts
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PUBLIC LAWS

OF THE

STATE OF MAINE

As Passed by the Ninetieth Legislature

1941

Chapter 75

AN ACT Providing for an Assistant County Attorney for Penobscot County.

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

R. S., c. 93, additional. Chapter 93 of the revised statutes is hereby amended by adding thereto a new section to be numbered 24-A and to read as follows:

'Sec. 24-A. Assistant county attorney for Penobscot county; duties; salary; term of office. The county attorney of the county of Penobscot may appoint an assistant, who shall be a resident of the county and duly admitted to the practice of law in the state of Maine, to be approved by a justice of the superior court, resident in said county, or by the chief justice of the supreme judicial court, who shall hold his office during the term of the county attorney by whom he was appointed, subject to removal at any time by the chief justice of the supreme judicial court. Said assistant shall take the oath prescribed for county attorneys and assist the county attorney in the ordinary duties of his office, in the drawing of indictments, in the hearing of complaints before the grand jury, and in the preparation and trial of criminal causes. He shall, when directed by the county attorney, act as counsel for the state in the trial of complaints before municipal courts and trial justices. He shall receive an annual salary from the state treasury, in monthly payments on the last day of the month, of \$1000.'

Approved March 14, 1941

Chapter 76

AN ACT Relating to Appeals in Civil Cases to the Superior Court.

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

R. S., c. 97, § 18, amended. Section 18 of chapter 97 of the revised statutes is hereby amended to read as follows:

'Sec. 18. Appeal, when and how claimed; its effect. Any party aggrieved by the judgment of the justice, whether after trial or upon default, may appeal to the next superior court in the same county, and may enter such appeal at any time within 5 days after the judgment, Sunday not included. The appellant shall within 5 days after judgment, Sunday not included, pay to the clerk the required fees for such appeal, including the

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entry fee in and cost of forwarding such appeal to the appellate court, and in that case no execution shall issue, and the clerk shall enter the appeal in the appellate court where it shall be determined as a new entry.'

Approved March 14, 1941

Chapter 77**AN ACT Regulating The Fishing for White Perch.**

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

White perch, fishing for. It shall be lawful to fish for white perch in all ponds and lakes of Androscoggin county after April 15 of each year.

Approved March 14, 1941

Chapter 78**AN ACT Relative to the Taking of Smelts in York County.**

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

R. S., c. 38, § 29, amended. The 5th paragraph of section 29 of chapter 38 of the revised statutes, as revised, is hereby repealed and the following inserted in place thereof:

'It shall be unlawful to take smelts in any of the inland waters of York county above tide-waters in any manner from March 20 to May 20 each year. Smelts may be taken in the day time only and in no other method except with hook and line in the lakes and ponds in York county from May 21 of each year to September 30, both dates inclusive. Smelts may also be taken in the lakes and ponds open to ice fishing in York county with hook and line, but in no other method during the time when said lakes and ponds may be open to ice fishing under the general law. Whoever violates the provisions of this paragraph shall be punished by a fine of not less than \$10 nor more than \$30 and costs for each offense and in addition thereto, \$1 for each fish taken and caught in violation of this paragraph.'

Approved March 14, 1941