

Designation on official ballot.

amended by adding at the end thereof the words: — The name of each candidate nominated at said preliminary election or caucus shall be printed on the ballot for the municipal election following, with this designation only, " Caucus Nominee ".

Approved March 5, 1910.

Chap.177

AN ACT TO REGULATE THE TAKING OF SCALLOPS.

Be it enacted, etc., as follows:

Taking of scallops regulated.

SECTION 1. It shall be unlawful to take from the flats or waters of the commonwealth scallops other than adult scallops, or to sell or offer for sale or have in possession such scallops so taken. For the purposes of this act an adult scallop shall be a scallop with a well defined raised annual growth line. Scallops taken from the tide waters of the commonwealth shall be culled out when taken, and all scallops other than adult scallops so taken shall immediately be returned alive to tide water which is at least three feet deep at mean low water, but the provisions of this section shall not apply to scallops other than adult scallops unavoidably taken: *provided*, that the number so taken at any one time does not exceed five per cent of the total catch after being culled as herein provided. All scallops taken in accordance with the provisions of this act shall be taken ashore in the shell.

Proviso.

Not to be taken between April 1 and October 1, etc.

SECTION 2. No person shall take scallops between the first day of April and the first day of October from the flats or waters of the commonwealth, or buy or sell or have in possession scallops so taken; but the provisions of this section shall not apply to the taking of scallops for bait in the waters adjacent to the town of Nantucket from the first day of April to the fifteenth day of May, inclusive, nor shall they prohibit any person at any time from taking scallops by hand for food for his own personal or family use.

Taking limited.

SECTION 3. No person shall take more than ten bushels of scallops including shells in one day.

Penalty.

SECTION 4. Whoever violates any provision of this act shall be punished by a fine not exceeding twenty-five dollars. Possession of scallops, other than adult scallops, except as is otherwise provided in section one, shall be prima

facie evidence that such scallops were taken contrary to law.

SECTION 5. Chapter four hundred and three of the acts of the year nineteen hundred and nine and all acts and parts of acts inconsistent herewith are hereby repealed.

Repeal.

Approved March 5, 1910.

AN ACT TO PROVIDE FOR THE APPOINTMENT OF ASSISTANT ASSESSORS OF THE CITY OF WORCESTER IN MARCH.

Chap. 178

Be it enacted, etc., as follows:

SECTION 1. Section thirty-three of chapter four hundred and forty-four of the acts of the year eighteen hundred and ninety-three is hereby amended by striking out the word "April", in the fourth sentence, and inserting in place thereof the word:— March,— so as to read as follows:— *Section 33.* The city council shall, by concurrent vote, the board of aldermen acting first, elect by ballot three persons to be assessors of taxes, one person to be elected in the month of January in each year, whose compensation shall be fixed by concurrent vote of the city council, and to hold office for the term of three years from his election. The present assessors shall continue to hold office, unless sooner removed, for two years from the first Monday of January next after their election. In case of a vacancy in the board of assessors by death, resignation, removal or otherwise, such vacancy shall be filled by the choice of another in the manner aforesaid, who shall hold his office for the unexpired term for which the member in whose place he shall be elected would have held the same. The mayor shall annually in the month of March appoint one person in each ward, who shall be a resident therein, to be an assistant assessor, and such other persons at large to be assistant assessors as the city council from time to time may by ordinance determine. Such assistant assessors, on being confirmed by the board of aldermen, and having been sworn to the faithful performance of their duties, shall be qualified to perform all the duties of assistant assessors. Any vacancy occurring in any such offices, whether from death, resignation or otherwise, shall be filled by appointment, by the mayor, of some person who shall serve during the remainder of such unexpired term. All taxes shall be assessed, apportioned and collected in the manner pre-

1893, 444,
§ 33, amended.

Assessors,
election,
term, etc.

Vacancy.

Assistant
assessors,
appointment,
etc.

Vacancy.

Assessment of
taxes, etc.