

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES
OF THE
SEVENTY-FIFTH LEGISLATURE

OF THE
STATE OF MAINE.

1911

Published by the Secretary of State, agreeably to Resolves of
June 28, 1820, February 18, 1840, and March 16, 1842

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PUBLIC LAWS

OF THE

STATE OF MAINE

As Passed by the Seventy-fifth
Legislature

1911

CHAP. 2

the forfeiture of his license and a fine not to exceed twenty dollars, to be recovered upon complaint,' so that said section shall read as follows:

Detectives, license of by the Governor.

'Section 13. The governor, with the advice of the council, may license not exceeding twenty-five licensed detectives for the detection, prevention and punishment of crime, to serve for the term of four years, unless such license is sooner revoked for cause. Each person so licensed shall give bond with two sureties, approved by the governor and council, conditioned for the proper discharge of the services which he may perform by virtue of such license; but nothing herein contained shall be construed to confer on any person so licensed, any of the power and authority of sheriffs or police officers, except in cases of felonies and offenses under chapters one hundred and twenty-one and one hundred and twenty-six. And it shall be unlawful for any person so licensed to advertise or represent himself as a state detective, under penalty of the forfeiture of his license and a fine not to exceed twenty dollars, to be recovered upon complaint.'

—bonds.

—unlawful to advertise as state detective.

—penalty.

Approved February 14, 1911.

Chapter 2.

An Act to provide for a close time on Scallops.

Preamble.

Whereas, there is at the present time no general law providing a close time on scallops, and the beds are becoming seriously depleted to the point of absolute destruction; and as the next spawning season commences before a general law without an emergency clause can take effect; further, that about three hundred families are dependent on this industry for their regular employment and livelihood, who will suffer deprivation and distress if this industry is destroyed; an emergency therefore exists, within the meaning of section sixteen, part third, article four, of the constitution of Maine as amended, and the passage of a general close time law is immediately necessary for the preservation of the public peace, health, and safety; therefore,

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

Close time on scallops.

Section 1. No person shall catch, buy or sell, expose for sale, give away or have in his possession for any purpose any scallops, shelled or in the shell, between the fifteenth day of April and the first day of November of each year.

Penalty for violation.

Section 2. Any person violating the provisions of the foregoing section shall be liable to a penalty of fifty dollars and in

addition shall pay a penalty of five dollars for each and every gallon or part thereof of shelled scallops, so bought, sold, exposed for sale, given away or in his possession; and shall pay a penalty of five dollars for each one hundred scallops or any part thereof, in the shell, so bought, sold, exposed for sale, given away or in his possession; and any boat with its equipment, engaged and used in such unlawful catching or selling of scallops may be seized and detained by an officer or warden, not exceeding twenty-four hours, in order that it may be attached or taken by due process of law, to satisfy any judgment that may be recovered; but said boat and equipment shall be released at any time on payment of penalty and costs legally due.

—boat and equipment may be seized and detained.

Scallop gear found on board any boat in close time shall be prima facie evidence of a violation of this act.

—prima facie evidence of violation of this act.

Section 3. Any penalty imposed by this act may be recovered by complaint, indictment or action of debt. In all prosecutions under this chapter, municipal and police judges and trial justices within their counties have by complaint, original and concurrent jurisdiction with the supreme judicial court and superior courts.

Court jurisdiction.

Section 4. All acts or parts of acts, either general or special, relating to a close time on scallops or scallop fishing in this state, are hereby repealed.

Certain acts repealed.

Section 5. This act, being an emergency act, within the meaning of the constitution, shall take effect when approved by the governor.

When this act shall take effect.

Approved February 16, 1911.

Chapter 3.

An Act to amend Section fifty-six of Chapter thirty-two of the Revised Statutes, relating to the disposal of money received for fines and penalties for violations of the Fish and Game Laws.

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

Section fifty-six of chapter thirty-two of the revised statutes is hereby amended by striking out all of said section after the word "same" in the eighth line thereof, so that said section shall read as follows:

Section 56, chapter 32, Revised Statutes, amended.

Section 56. Any officer or other person who shall receive any fine or penalty, or any part thereof, for the violation of any fish or game law, and shall neglect for more than thirty days to pay the same into the state treasury, shall be punished by a fine of not less than fifty, nor more than one hundred

Penalty for neglect to turn fines into state treasury.