

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

Eighty-seventh and Eighty-eighth
Legislatures

OF THE

STATE OF MAINE

From April 7, 1935 to April 24, 1937

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.

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AUGUSTA, MAINE
1937

PUBLIC LAWS

OF THE

STATE OF MAINE

As Passed by the Eighty-Eighth Legislature

1937

CHAP. 230

approved June 16, 1936, (Public No. 686—74th Congress) and all acts amendatory thereof and supplementary thereto, for the improvement of secondary or feeder roads, and to expend the same, together with state funds required by the above act, for the improvement of highways within and outside the compact sections of towns.

All highways improved with funds provided under the provisions of section 7 of the above act, except improved secondary Federal projects located on the state highway system as defined in section 5 of chapter 28 of the revised statutes shall be maintained by the state highway commission under the same provisions and conditions made for the maintenance of state aid highways as contained in section 18 of chapter 28 of the revised statutes.

Secondary Federal projects constructed on the state highway system shall be maintained by the state highway commission under the same provisions and conditions made for the maintenance of improved state highways as contained in section 9 of chapter 149 of the public laws of 1935, except that these provisions for maintenance of improved state highways shall also apply to Secondary Federal projects constructed within the compact sections of towns.

Sec. 9. R. S., c. 28, certain sections repealed. Sections 26, 27, 28, 29, 30, 31, 32, 42 and 43 of chapter 28 of the revised statutes, as amended, are hereby repealed.

Sec. 10. Constitutionality of act. If any section, subsection, sentence, clause, or phrase of this act is, for any reason held to be unconstitutional, such decision shall not effect the validity of the remaining portions of this act.

Sec. 11. Repealing clause. All acts and parts of acts inconsistent with this act are hereby repealed.

Emergency clause. In view of the emergency recited in the preamble this act shall take effect when approved.

Approved April 24, 1937.

Chapter 230

AN ACT Relating to Shipping Clams Beyond the Borders of the State.

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

Sec. 1. Shipping of clams regulated; close season. No person, firm, or corporation shall between the 15th day of May and the 1st day of October

following, ship, transport, offer for shipment or transportation either directly or indirectly any clams either in the shell or shucked taken from the clam flats of Washington, Hancock, Knox, Waldo and Lincoln counties beyond the limits of the state, and/or to the counties of Sagadahoc, Cumberland and York; provided, however, that an exception shall be made to clams which have been canned, packed or barreled, between the 1st day of October and the 15th day of May.

Sec. 2. Penalty. Any person, firm, or corporation who ships, transports, offers for shipment or transportation or who attempts to ship or transport clams beyond the limits of the state in violation of any of the provisions herein shall be punished by a fine of not less than \$10 nor more than \$100 for the first offense, and by a fine of not less than \$50 nor more than \$200 for each subsequent offense. Possession of clams in packages not properly marked as required by license provisions by any person, firm, or corporation, their servants or agents, when such clams in packages are in process of transportation or failure of the person, firm or corporation, their servants or agents, transporting the said clams to produce a valid license permitting shipment shall be prima facie evidence of a violation of this provision. All automobiles, trucks, wagons, boats, airplanes, vessels and vehicles of every kind, not common carriers, containing clams shipped or transported contrary to the provisions hereof shall be seized by any officer seizing the clams so shipped or transported, and shall be libeled.

Sec. 3. How enforced; jurisdiction. The provisions of this act shall be enforced by the director of sea and shore fisheries and by all wardens and deputy wardens authorized by said director, and by all officers of the department of agriculture. Municipal courts and trial justices shall have original jurisdiction concurrent with the superior court, of actions brought for the recovery of penalties imposed by this act and of prosecutions for violation hereof.

Approved April 24, 1937.

Chapter 231

AN ACT Relating to Snow Removal.

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

R. S., c. 28, § 55, amended. The first 2 paragraphs of section 55 of chapter 28 of the revised statutes, as amended by section 2 of chapter 231 of the public laws of 1931, and by chapter 149 of the public laws of 1935, are hereby further amended to read as follows: