

# MAINE STATE LEGISLATURE

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July 2, 1941

Arthur R. Greenleaf, Commissioner  
Sea and Shore Fisheries  
Boothbay Harbor, Maine

Dear Sir:

We have your letter of June 17th, relative to Chapter 283, P. L. 1941, entitled "An Act Revising the Regulation of the Clamming Industry in Lincoln County". The Act reads:-

"The first paragraph of Section 54-A of Chapter 50 of the revised statutes, as enacted, is hereby amended to read as follows:

'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 and Waldo and ~~Hancock~~ counties beyond the limits of the state, and/or to the counties of Sagadahoc, Cumberland, Lincoln 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.'

After an investigation of the statutes and the amendments thereof, I fail to find any reference to Section 54-A. Consequently, it is somewhat difficult for me to give you a definite answer to your request for a "ruling regarding the amendment of Section 54-A".

Chapter 283, P. L. 1941, supplemented by information regarding its consideration and enactment, appear to indicate the intent of the Legislature to include Lincoln County as an open area from May 15th to October 1st.

Our courts have frequently judicially said, that "A thing within the intention is as much within the statute as if it were within the letter.

Very truly yours,

Sanford L. Fogg  
Deputy Attorney General

SLF:GH