

MAINE STATE LEGISLATURE

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SEVENTY-SEVENTH LEGISLATURE

HOUSE

NO. 352

House of Representatives, Feb. 24, 1915.

Ordered, That five hundred copies be printed and that the same be referred to the Committee on Sea and Shore Fisheries.

Committee on Reference.

Presented by Mr. McCarrison of Appleton.

STATE OF MAINE

IN THE YEAR OF OUR LORD ONE THOUSAND NINE
HUNDRED AND FIFTEEN

AN ACT to provide for licenses for transporting lobsters beyond
the limits of the State.

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

Section 1. No person shall acquire any property in lob-
2 sters caught in the waters, under the jurisdiction of this
3 state, for the purpose of shipping the same beyond the limits
4 of this state, unless such lobsters conform to law and are
5 shipped in accordance with the provisions of this act.

Sect. 2. No person other than a common carrier engaged
2 in carrying general freight on fixed schedules, shall carry
3 or have in possession for the purpose of carrying, beyond
4 the limits of the state, any lobsters caught within the waters

5 under the jurisdiction of this state, unless he shall be licensed
6 as herein provided; and no such common carrier shall carry
7 or have in possession for the purpose of carrying, any such
8 lobsters not received at the regular established place of busi-
9 ness upon land for receiving freight, unless so licensed.

Sect. 3. The commissioner of sea and shore fisheries shall,
2 upon the payment of one dollar, issue licenses to carry such
3 lobsters beyond the limits of this state to persons making
4 application therefor, upon blanks prepared and furnished by
5 him for that purpose; but such license shall only authorize
6 the person so licensed to carry lobsters in a duly licensed
7 smack, vessel, or other means of transportation.

The owner or party in control of any smack, vessel, or
9 other means of transportation, may obtain a license author-
10 izing lobsters to be carried therein, by making application
11 to the commissioner of sea and shore fisheries, in such form
12 as he may prescribe, who upon the payment of a fee of five
13 dollars shall issue the same. Such license shall bear the
14 date of taking effect, and of the termination thereof, which
15 last named date shall be the first day of July next after it
16 becomes effective, and shall state that such license will be
17 forfeited upon the violation of any law relating to lobsters,
18 and that such smack, vessel or other means of transportation,
19 is at all times subject to inspection by the commissioner of
20 sea and shore fisheries, fish wardens and deputy wardens,
21 in which inspection they shall in no way be obstructed.

Sect. 4. The commissioner of sea and shore fisheries may
2 revoke the license of any person, smack, vessel or other

3 means of transportation, by whom or whereon he finds any
4 of the laws relating to lobsters have been violated; and such
5 license issued to any person, and the license issued to any
6 smack, vessel, or other means of transportation, used by any
7 person convicted of any violation of any law relating to
8 lobsters, shall be void; and in either case the license shall
9 be surrendered. For cause shown said commissioner may
10 restore a license revoked by him, and if he refuses so to do
11 the license may be restored by any justice of the supreme
12 judicial court, provided he finds said commissioner erred in
13 his conclusion of fact, and application is made to him within
14 ten days of such refusal to restore. No new license shall
15 be issued for a period of one year, to any person, smack,
16 vessel or other means of transportation, where a license has
17 been revoked and a restoration has been refused, nor in case
18 of conviction; and no new license shall be issued after a
19 second revocation and refusal to restore, or a second con-
20 viction. Any license issued contrary to the provisions of
21 this section is void and of no effect.

Sect. 5. Any violation of this act, or the terms of the
2 license, or of any law relating to lobsters by any persons
3 licensed hereunder, shall be punished by a fine of not less
4 than twenty-five or more than two hundred and fifty dol-
5 lars, and the owner and party in control of any smack, ves-
6 sel, or other means of transportation licensed hereunder and
7 used in such violation shall become indebted and shall pay
8 to the state, the sum of five hundred dollars, which such

9 shall be a lien upon such smack, vessel or other means of
10 transportation, and may be enforced in the name of the
11 state, by any appropriate process.

Sect. 6. No person nor smack shall be adjudged guilty of
2 a violation of this act, who shall have a license within thirty
3 days after this act takes effect.