

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

SEVENTY-EIGHTH LEGISLATURE

HOUSE

NO. 95

House of Representatives, Feb. 2, 1917.

Referred to Committee on Sea and Shore Fisheries and five hundred copies ordered printed. Sent up for concurrence.

W. R. ROIX, Clerk.

Presented by Mr. Goldthwait of Biddeford.

STATE OF MAINE

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

AN ACT to amend sections thirty-five and thirty-eight of chapter 45 of the Revised Statutes of 1916, relating to the measurement of lobsters.

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

Section 1. That all of section thirty-five of chapter 45 of
2 the Revised Statutes of 1916 between the words, "no person"
3 and the words, "The possession" be stricken out, and that
4 there be inserted the following: 'shall buy or sell, give away
5 or expose for sale or possess for any purpose any lobster,
6 which is less than four and one-eighth inches or more than

7 six inches in length, alive or dead, cooked or uncooked,
8 measured in manner as follows: Taking the length of the
9 back of the lobster measured from the end of the bone of
10 the nose to the center of the rear end of the body shell,
11 and any lobster shorter or longer than the prescribed lengths
12 when caught shall be immediately liberated alive at the risk
13 and cost of the parties taking them, under a penalty of five
14 dollars for each lobster caught, bought, sold, given away or
15 exposed for sale, measuring more or less than the prescribed
16 lengths or in possession contrary to the provisions hereof;'
17 so that said section as amended shall read as follows:

'Sect. 35. No person shall buy or sell, give away or ex-
2 pose for sale or possess for any purpose any lobster, which
3 is less than four and one-eighth inches or more than six in
4 length, alive or dead, cooked or uncooked, measured in man-
5 ner as follows: Taking the length of the back of the lobster
6 measured from the end of the bone of the nose to the center
7 of the rear end of the body shell, and any lobster shorter
8 or longer than the prescribed lengths when caught shall be
9 immediately liberated alive at the risk and cost of the parties
10 taking them, under a penalty of five dollars for each lobster
11 caught, bought, sold, given away or exposed for sale, meas-
12 uring more or less than the prescribed lengths or in posses-
13 sion contrary to the provisions hereof; The possession of
14 mutilated lobsters, cooked or uncooked, shall be prima facie
15 evidence that they are not of the required length. All lob-
16 sters or parts of lobsters sold for use in this state or for

17 export therefrom must be sold and delivered in the shell un-
18 der a penalty of twenty dollars for each offence, and who-
19 ever ships, transports, carries, buys, gives away, sells or ex-
20 poses for sale lobster meat after the same shall have taken
21 from the shell shall be liable to a penalty of one dollar
22 for each pound of meat so shipped, transported, carried,
23 bought, given away, sold or exposed for sale. Any person
24 or corporation in the business of a common carrier of mer-
25 chandise, who shall knowingly carry or transport from place
26 to place lobster meat after the same shall have been taken
27 from the shell shall be liable to a penalty of fifty dollars
28 upon each conviction thereof. All lobster meat so illegally
29 shipped, transported, carried, bought, given away, sold or
30 exposed for sale shall be liable to seizure and may be con-
31 fiscated. Nothing contained herein shall be held to prohibit
32 the sale of lobsters that have been legally canned.'

Sect. 2. That all of Section thirty-eight of Chapter 45 of
2 the Revised Statutes of 1916 between the words "No Per-
3 son" and the words "and for every lobster," be stricken out,
4 and that there be inserted the following: 'shall can lobsters
5 less than four and one-eighth inches or more than six inches
6 in length, alive or dead, measured in accordance with Section
7 thirty-five of Chapter 45 of the Revised Statutes': and that
8 the words "one dollar" be stricken out and that there be
9 inserted the words 'five dollars'; so that said section as
10 amended shall read as follows:

'Sect. 38. No person shall can lobsters less than four and
2 one-eighth inches or more than six inches in length, alive
3 or dead, measured in accordance with Section thirty-five of
4 Chapter 45 of the Revised Statutes; and for every lobster
5 canned contrary to the provisions of this section, every per-
6 son, firm, association or corporation so canning shall be lia-
7 ble to a penalty of five dollars for every lobster so canned
8 contrary to the provisions of this section, and a further pen-
9 alty of three hundred dollars for every day on which such
10 unlawful canning is carried on.'