

# MAINE STATE LEGISLATURE

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# EIGHTY-FIRST LEGISLATURE

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SENATE

NO. 63

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In Senate, Feb. 8, 1923.

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

L. ERNEST THORNTON, Secretary.

Presented by Senator Sargent of Hancock.

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## STATE OF MAINE

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IN THE YEAR OF OUR LORD ONE THOUSAND NINE  
HUNDRED AND TWENTY-THREE

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AN ACT to Regulate the Taking of Clams.

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

All clams taken from clam bottoms shall be culled on  
2 their natural beds as taken, and all clams measuring less  
3 than two and one-half inches in length, measuring the long  
4 diameter of the shell, shall be replaced on said clam bottoms  
5 when taken, and it shall be unlawful for any person to take,  
6 buy, sell, or have in possession clams less than two and one-  
7 half inches in length, measuring the long diameter of the  
8 shell. Whenever any warden, or other officer shall have  
9 reason to believe that this act has been violated with refer-  
10 ence to the culling of clams, such warden or other officer

11 shall with or without a warrant examine the cargo of any  
12 boat or vessel, enter any building or factory, market,  
13 peddler's vehicle, or any receptacle or place where they have  
14 reason to believe that clams of less than legal length may be  
15 found. If upon examination the said warden or other officer  
16 shall find that five per cent or more in number of clams  
17 found shall consist of clams that measure less than two and  
18 one-half inches measuring the long diameter, of the shell,  
19 the captain of the vessel or boat, or the person in charge of  
20 the said vessel or boat, the owner or lessee of factory,  
21 building, vehicle or receptacle in which such clams of less  
22 than two and one-half inches in length measured the long  
23 diameter of the shell are found, shall be deemed to have  
24 violated this act, and upon conviction shall be fined not less  
25 than twenty-five or more than two hundred dollars, or  
26 confined in jail for not less than thirty days nor more than  
27 six months, either or both. Clams taken under a violation  
28 of this act shall be confiscated and all clams so taken that  
29 measure less than two and one-half inches measuring the  
30 long diameter of the shell shall be at once returned to the  
31 nearest natural bed or clam bottom, below the half tide  
32 mark. The vessel or boat on which said clams are found  
33 shall be held as security for the payment of said fine.