

MAINE STATE LEGISLATURE

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NEW DRAFT

EIGHTY-FIFTH LEGISLATURE

Legislative Document

No. 960

H. P. 1378 House of Representatives, March 24, 1931.
Reported by Mr. Ford from Committee on Sea and Shore
Fisheries and laid on table to be printed under joint rules.
CLYDE R. CHAPMAN, Clerk.
New Draft of H. P. 1024, L. D. 552.

STATE OF MAINE

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

AN ACT Relating to the Shipping and Transporting of Clams
Beyond the Limits of the State During Close Time.

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

That section sixty-five of chapter fifty of the Revised Statutes be amended by striking out all of the said section and by inserting in place thereof the following sections:

'Sec. 1. No person, firm, or corporation shall between the first day of June and the fifteenth day of September following ship, transport, offer for shipment or transportation any clams beyond the limits of the State of Maine, except clams which have been canned, packed, or barreled between the fifteenth day of September and the first day of June.

Sec. 2. 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 of Maine in violation of any of the provisions herein shall be punished by a fine of not less than ten dollars and not more than one hundred dollars for the first offense and by a fine of not less than fifty dollars nor more than two hundred dollars 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 intrastate 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, shall be libeled as is provided for the libeling of intoxicating liquors and the vessels in which they are contained under the provisions of Chapter 137, Revised Statutes, and shall be declared forfeited by the court and sold in the same manner as is provided for the sale of vessels containing intoxicating liquors.

Sec. 3. 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 authorized to make arrests. Municipal and police 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.'