

MAINE STATE LEGISLATURE

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NEW DRAFT

EIGHTY-FIFTH LEGISLATURE

Legislative Document

No. 962

H. P. 1380 House of Representatives, March 24, 1931.
Reported by Mr. Snow 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. 866, L. D. 356.

STATE OF MAINE

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

AN ACT Regulating the Taking and Sale of Clams in the
Town of Scarborough.

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

Section 1. No person shall, in the town of Scarborough, in the county of Cumberland, dig or take clams for sale unless license has been granted to him by the municipal officers of said town, who are hereby authorized to grant and issue such license and fix the fee therefor. No license shall be granted or issued except to an inhabitant of said town. Nothing herein shall prohibit any inhabitant or a riparian owner of shores or flats therein from digging and taking clams for food for himself and family without license. The term "inhabitant" shall mean a person who has resided in the said town at least three consecutive months.

Sec. 2. No person shall be a dealer in clams in said town unless license has been granted to him by the municipal officers of said town, who are hereby authorized to issue such license and fix the fee therefor. The term "dealer" herein used shall mean any person, firm, or corporation buying or selling clams not dug or taken by himself.

Sec. 3. The municipal officers of said town may revoke any license issued hereunder by them, upon evidence satisfactory

to them that the person taking or selling clams has violated any of the laws of the State of Maine regulating the taking and sale of clams. In event the municipal officers refuse to issue the licenses provided for herein or in event license has been revoked by the municipal officers of said town, the person aggrieved may apply to any justice of the Superior Court, who may order the issuance or restoration thereof, provided said justice finds the municipal officers acted fraudulently or corruptly or erred in their conclusion of facts.

Sec. 4. Whoever takes to sell clams within said town without having obtained the license provided for herein or after such license has been revoked, shall be punished by a fine of not less than ten dollars nor more than one hundred dollars or by imprisonment for not more than thirty days.

Sec. 5. All requirements, rights and powers herein under shall be additional to the requirements, rights, and powers conveyed by the general law.

Sec. 6. Chapter three hundred and seventeen of the Private and Special Laws of nineteen hundred and three and chapter three hundred eighty-six of the Private and Special Laws of nineteen hundred and five and all acts and parts of acts inconsistent herewith are hereby repealed.