

# MAINE STATE LEGISLATURE

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# E I G H T Y - E I G H T H L E G I S L A T U R E

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**Legislative Document**

**No. 716**

H. P. 1575

House of Representatives, February 16, 1937.

Referred to Committee on Sea and Shore Fisheries. Sent up for concurrence and 500 copies ordered printed.

HARVEY R. PEASE, Clerk.

Presented by Mr. Sleeper of Rockland.

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## S T A T E O F M A I N E

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IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
THIRTY-SEVEN

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### **AN ACT Relating to Shipping Clams Beyond the Borders of the State.**

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

**Sec. 1. Shipping of clams regulated; close season.** No person, firm, or corporation shall between the 15th day of May and the 1st day of October following, ship, transport, offer for shipment or transportation any clams either in the shell or shucked beyond the limits of the state, provided, however, that an exception shall be made to clams which have been canned, packed or barreled, between the 1st day of October and the 15th day of May.

**Sec. 2. Penalty.** 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 in violation of any of the provisions herein shall be punished by a fine of not less than \$10 and not more than \$100 for the first offense and by a fine of not less than \$50 nor more than \$200 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 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, and shall be libeled.

**Sec. 3. How enforced; jurisdiction.** 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 of the department of agriculture. Municipal 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.