

MAINE STATE LEGISLATURE

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H. P. 1906

House of Representatives, April 9, 1941.

Reported by Mr. Forhan from Committee on Sea and Shore Fisheries and laid on table to be printed under joint rules.

HARVEY R. PEASE, Clerk.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FORTY-ONE

AN ACT Relating to the Taking and Sale of Clams in the Town of
Woolwich.

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

Sec. 1. License required; definition. No person, firm, or corporation, shall, within the limits of the town of Woolwich, in the county of Sagadahoc, dig or take any clams, clam worms, sand worms, or blood worms, without having first obtained a license from the municipal officers of said town of Woolwich, who are hereby authorized to grant and issue such licenses and fix the fee therefor. No license shall be granted or issued to any person, firm, or corporation unless such person, firm, or corporation is a resident of said town of Woolwich. However, nothing herein shall prohibit a riparian owner of shores or flats in said town of Woolwich, from digging and taking clams therefrom for food for himself and family without license.

The term "a resident" shall mean a person, firm, or corporation who has resided in the state of Maine for a term of at least 6 consecutive months, and in the town of Woolwich for at least 3 consecutive months prior to making application for license.

Sec. 2. Dealers' licenses required; definition. No person shall be a dealer in clams, clam worms, or blood worms in the town of Woolwich,

without having first obtained a license from 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 clams, clam worms, or blood worms for resale.

Sec. 3. Licenses, revocation, appeal. The municipal officers may revoke any license issued hereunder by them, upon evidence satisfactory to them that the person taking or selling clams, clam worms, or blood worms has violated any of the laws of the state of Maine, regulating the taking and sale of clams, clam worms, or blood worms. If the municipal officers refuse to issue the license provided for in this act or if a license has been revoked by the municipal officers, a person aggrieved may apply to any justice of the superior court, in term time, or vacation, who may order the issuance or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. Penalty. Whoever violates any of the provisions of this act shall be punished by a fine of not less than \$10 nor more than \$100 or by imprisonment for not more than 30 days. Municipal courts and trial justices shall have original jurisdiction concurrent with the superior court of prosecutions for violations hereof.