

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

---

---

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

---

---

**Legislative Document**

**No. 195**

---

---

S. P. 88

In Senate, January 28, 1953.

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

CHESTER T. WINSLOW, Secretary.

Presented by Senator Dow of Lincoln.

---

---

**STATE OF MAINE**

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
FIFTY-THREE

---

**AN ACT Relating to Digging Clams and Marine Worms in Wiscasset,  
County of Lincoln.**

---

**Emergency preamble.** Whereas, acts of the legislature become effective 90 days after adjournment; and

Whereas, it is vitally necessary to conserve the clam flats in Wiscasset;  
and

Whereas, in the judgment of the legislature these facts create an emergency within the meaning of the constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

**Sec. 1. License required to dig or take clams, etc., in Wiscasset; definition.** No person, firm or corporation shall, within the limits of the town of Wiscasset in the county of Lincoln, 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 Wiscasset, who are 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 Wiscasset. Nothing herein

shall prohibit a riparian owner of shores or flats in said town of Wiscasset from digging and taking clams therefrom for food for himself and family without license. For the purposes of this chapter, the term "a resident" shall mean a person, firm or corporation who has resided in this state for a term of at least 6 consecutive months and in the town of Wiscasset for at least 6 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 Wiscasset without having first obtained a license from the municipal officers of said town, who are authorized to issue such license and fix the fee therefor. For the purposes of this chapter, 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 by them under the provisions of the 2 preceding sections, 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 regulating the taking and sale of clams, clam-worms or blood-worms. If the municipal officers refuse to issue the license provided for in said sections 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 chapter shall be punished by a fine of not less than \$10, nor more than \$100, or by imprisonment for not more than 30 days. Trial justices within their county shall have jurisdiction concurrent with municipal courts and the superior court of prosecutions for violations hereof.

**Emergency clause.** In view of the emergency cited in the preamble, this act shall take effect when approved.