

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

Eighty-fourth Legislature

OF THE

STATE OF MAINE

1929

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PUBLIC LAWS
OF THE
STATE OF MAINE

As Passed by the Eighty-fourth Legislature

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borne by such railroad corporation, or by the city or town in which such way is located, or by the state of Maine, or said public utilities commission may apportion such expense equitably between such railroad corporation, and the city, town or state. Said public utilities commission shall make a report in writing of its decision thereupon, file the same in its office and cause to be sent by mail or otherwise to each of the railroad corporations, and the municipal officers of the city or town as the case may be, interested therein, and the state highway commission when interested, a copy of such decision. Such decision shall be final and binding upon all parties unless an appeal therefrom shall be taken and entered at the next succeeding term of the supreme judicial court, to be held in the county where the crossing is located, more than thirty days after the date of the filing of the report; and said public utilities commission shall be made a party defendant in such appeal and entitled to be heard in all subsequent proceedings had upon such appeal. The appellant shall within fourteen days from the date of the filing of such report, file in the office of the public utilities commission its reasons for appeal, and fourteen days at least before the sitting of the appellate court it shall cause to be served upon such other interested corporations or municipality or the state highway commission a copy of such reasons for appeal certified by the clerk of the public utilities commission. The presiding justice at such term of court shall make such order or decree thereon as law and justice may require. Exceptions may be taken to such order or decree. The final adjudication shall be recorded as provided in section thirty-three of this chapter and a copy of such final decision sent to the public utilities commission by the clerk of the court where such final adjudication is made. Costs may be taxed and allowed to either party at the discretion of the court.'

Sec. 2. R. S., c. 24, sec. 32; relating to ways over lands used for stations, repealed. Section thirty-two of chapter twenty-four of the revised statutes is hereby repealed.

Approved March 11, 1929.

Chapter 29.

An Act to Regulate the Taking of Clams in the Town of Phippsburg.

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

Sec. 1. Town of Phippsburg may fix time of taking of clams; fee for licenses; may restrict licenses. The town of Phippsburg at its annual meeting may fix the time in which clams may be taken within the limits of said town and the fee for which its municipal officers shall grant licenses or permits therefor and the number to be granted; and when not so regulated by vote of said town, the municipal officers may fix the time

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and fees for which permits shall be granted and said town may at its annual meeting, if it so elects, vote to restrict the issuing of such licenses or permits to the inhabitants of said town.

Sec. 2. License or permit must be obtained; exceptions. No persons shall take clams within the limits of said town without first obtaining a written license or permit from the municipal officers, if such written license or permit is required by the vote of said town or by the action of the municipal officers, unless the clams are for the consumption of himself or family, but no non-resident shall take clams within the limits of said town for any purpose, provided said town has voted to restrict the taking of clams to the inhabitants thereof. A resident of another town or state, however, while temporarily residing in said town of Phippsburg shall have the same rights to take clams within the limits of said town during such temporary residence as any inhabitant thereof under the provisions of this act.

Sec. 3. Penalty. Whoever takes clams contrary to the provisions of this act, shall for each offense, be fined not more than ten dollars or imprisoned for not more than thirty days.

Approved March 11, 1929.

Chapter 30.

An Act Relating to the Lobster Industry Within Two Miles of the Shore of Monhegan Island.

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

P. & S. L., 1907, c. 61, sec. 1; P. & S. L., 1909, c. 210, sec. 1; P. & S. L., 1921, c. 58; relating to lobster fishing near Monhegan island, further amended. Section one of chapter sixty-one of the private and special laws of nineteen hundred and seven, as amended by section one of chapter two hundred and ten of the private and special laws of nineteen hundred and nine, as amended by chapter fifty-eight of the private and special laws of nineteen hundred and twenty-one, is hereby further amended by striking out the whole of said section and inserting in place thereof the following: 'It shall be unlawful to take, catch, kill, destroy, or set any lobster trap or other device for the purpose of taking, catching, killing or destroying any lobster or lobsters within two miles of the shore of Monhegan Island between the twenty-fifth day of June of each year and the first day of December following;' so that said section, as amended shall read as follows:

'Sec. 1. Close time from June 25 to December 1st. It shall be unlawful to take, catch, kill, destroy, or set any lobster trap or other device for the purpose of taking, catching, killing or destroying any lobster or lobsters