

# 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)

ACTS AND RESOLVES

AS PASSED BY THE

Eighty-fifth Legislature

OF THE

STATE OF MAINE

1931

---

Published by the Secretary of State, in conjunction with the Revisor of Statutes  
in accordance with the Resolves of the Legislature, approved June 28, 1820,  
March 18, 1840, March 16, 1842, and an Act of August 6, 1930.

---

KENNEBEC JOURNAL COMPANY  
AUGUSTA, MAINE  
1931

**PUBLIC LAWS**  
OF THE  
**STATE OF MAINE**

As Passed by the Eighty-fifth Legislature

**1931**

[supplied from page 1 of volume]

**CHAP. 198**

sea and shore fisheries and the commissioner of agriculture, or either of them; shall be punished by a fine of not less than ten dollars or more than one hundred dollars. Whenever a person violates any of the provisions of this chapter his license shall be revoked. In any prosecution for a violation of the provision of this section prohibiting the digging or taking of clams from areas determined to be contaminated, possession, except by common carrier, of clams apparently so dug shall be prima facie evidence of a violation of this provision.

**Sec. 3. How enforced.** 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 the commissioner of agriculture and all deputies authorized by said commissioner; and by all officers authorized to make arrests.

**Sec. 4. Jurisdiction.** Municipal and police 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.

Approved April 2, 1931.

---

---

## Chapter 198.

### AN ACT Relating to the Shipping and Transporting of Clams Beyond the Limits of the State During Closed Time.

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

R. S., c. 50, sec. 65; relating to shipping and transportation of clams outside of the state during close time, amended. Section sixty-five of chapter fifty of the revised statutes is amended by striking out all of the said section and by inserting in place thereof the following sections:

**‘Sec. 1. Shipping of clams regulated; close season.** No person, firm, or corporation shall between the first day of June and the fifteenth day of September following ship, transport, offer for shipment or transportation any clams beyond the limits of the state, except clams which have been canned, packed, or barreled between the fifteenth day of September and the first day of June.

**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 ten dollars

and not more than one hundred dollars for the first offense and by a fine of not less than fifty dollars nor more than two hundred dollars 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 intrastate 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, shall be libeled as is provided for the libeling of intoxicating liquors and the vessels in which they are contained under the provisions of chapter one hundred thirty-seven of the revised statutes, and shall be declared forfeited by the court and sold in the same manner as is provided for the sale of vessels containing intoxicating liquors.

**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 authorized to make arrests. Municipal and police 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.

Approved April 2, 1931.

---

---

## Chapter 199.

### AN ACT Regulating the Buying, Selling and Transporting of Clams.

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

**Sec. 1. Clam sellers and buyers to be licensed.** No person, firm, or corporation either by themselves as principals, or by their servants or agents, shall buy or sell clams, either shucked or in the shell, for resale or distribution in intrastate or interstate trade without first obtaining a license from the director of sea and shore fisheries.

**Sec. 2. License; how issued, application for, fee for, certificate of.** The director of sea and shore fisheries is hereby authorized to issue licenses to all persons engaged in the business of buying and selling clams. Application for license shall be made by applicants on blanks furnished