

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES
AS PASSED BY THE
Eighty-sixth Legislature
OF THE
STATE OF MAINE

From April 4, 1931, to March 31, 1933

AND MISCELLANEOUS STATE PAPERS

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PUBLIC LAWS
OF THE
STATE OF MAINE

As Passed by the Eighty-sixth Legislature

1933

[supplied from page 1 of volume]

Chapter 247.

AN ACT Relating to Measurement of Lobsters.

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

R. S., c. 50, § 38, amended. Section 38 of chapter 50 of the revised statutes is hereby repealed and the following enacted in place thereof:

‘Sec. 38. Legal size of lobsters and method of measurement; penalty; prohibitions; penalties. No person shall buy, or sell, give away, or expose for sale, or possess for any purpose any lobsters less than $3\frac{1}{2}$ inches in length, alive or dead, cooked or uncooked, measured from the rear of the eye socket along a line parallel to the center line of the body shell to the rear end of the body shell; and any lobster shorter than the prescribed length when caught shall be immediately liberated alive at the risk and cost of the parties taking it, under a penalty of \$5 for each lobster so caught, bought, sold, given away, exposed for sale, or in possession. The possession of mutilated lobsters, cooked or uncooked, shall be prima facie evidence that they are not of the required length. Measures for determining the legal length of lobsters shall be provided by the state and may be obtained from the commissioner of sea and shore fisheries at cost. No evidence shall be received in any of the courts of the state in any matter in which the length of a lobster is in question unless such length has been determined by such a measure. Whoever ships, transports, carries, buys, gives away, sells, or exposes for sale lobster meat after the same shall have been taken from the shell, without the tail meat being whole and intact not less than $5\frac{1}{2}$ inches in length, when laid out straight and measured from end to end, not including the small part that is on the body end of the tail meat, shall be liable to a penalty of \$10 for each pound of meat so shipped, transported, carried, bought, given away, sold, or exposed for sale. Any person or corporation in the business of common carrier of merchandise who shall knowingly carry or transport from place to place lobster meat after the same shall have been taken from the shell, shall be liable to a penalty of \$50 upon each conviction thereof. All lobster meat so illegally shipped, carried, bought, given away, sold, or exposed for sale shall be liable to seizure and may be confiscated.

The commissioner in his discretion may issue permits to dealers who request them, on payment of \$10, whenever said commissioner is satisfied that said applicant for permit will take meat only from legal lobsters. Persons, firms or corporations holding permits are required to put on each package of meat the name and number of their license, place of business, date meat was taken from shell and number of pounds in

package or other container and the purchaser shall be required to hold all data referring to lobster meat until the meat is sold. Any person violating the terms of his permit shall be punished by the fines and penalties provided in section 20.'

Revisor's note: This section amends P. L. 1933, c. 2, §89.

Approved March 31, 1933.

Chapter 248.

AN ACT Relating to Roadside Improvement.

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

Sec. 1. Planting. The state highway commission may, subject to the consent of abutting land owners, cause or allow grasses, shrubs, vines, and trees to be planted and maintained along state and state aid highways, to be paid for as part of the cost of construction and maintenance of highways; this cost not to exceed \$500 per year.

Sec. 2. Contracts. The state highway commission may enter into agreements with individuals or organizations who wish to plant grasses, vines, trees or flowers; or to make gifts or appropriations to carry out the provisions of this act.

Sec. 3. Not to obstruct view of advertising panels. This act shall not be construed to permit the planting of trees, grasses, shrubs, vines, or flowers in any manner so as to prevent passers-by from having a clear and unobstructed view of any outdoor advertising panel.

Approved March 31, 1933.

Chapter 249.

AN ACT Relating to the Taking of Testimony.

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

Taking of testimony, regulated. If in the trial of a civil case there is a conflict of oral testimony or the contents of a written statement are denied or controverted by the person involved therein, it is competent to show in testimony the interest or bias of the person testifying orally or the person preparing the written statement.

Approved March 31, 1933.