

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

Eighty-seventh and Eighty-eighth
Legislatures

OF THE

STATE OF MAINE

From April 7, 1935 to April 24, 1937

AND MISCELLANEOUS STATE PAPERS

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 Acts approved
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1937

RESOLVES

OF THE

STATE OF MAINE

As Passed by the Eighty-Eighth Legislature

1937

Chapter 35

RESOLVE, in Favor of the Location of a Fish Weir off Calf Island.

Permission granted to locate a weir off Calf Island. Resolved: That John V. Sawyer, of Calf Island, is hereby granted permission to locate a fish weir off the western side of Calf Island, situated in the eastern bay in the town of Beals. The pound thereby created shall be within 28 feet of water off the western side of the aforesaid island as shown on the United States Coast Chart number 304, with center fence to the island and one wing about 200 feet southerly; provided, however, that said weir shall in no way interfere with navigation rights.

Approved April 2, 1937.

Chapter 36

RESOLVE, Regulating the Taking and Sale of Clams in the Town of Cape Elizabeth.

Taking and sale of clams, regulated. Resolved: That the commissioner of sea and shore fisheries be, and hereby is, directed to issue the following rule and regulation: No person shall, in the town of Cape Elizabeth, in the county of Cumberland, dig or take clams for sale unless license has been granted to him by the municipal officers of said town, who are hereby authorized to grant and issue such license and fix the fee therefor. No license shall be granted or issued except to an inhabitant of said town. Nothing herein shall prohibit any inhabitant or a riparian owner of shores or flats therein from digging and taking clams for food for himself and family without license. The term "inhabitant" shall mean a person who has resided in the said town at least 3 consecutive months.

No person shall be a dealer in clams in said town unless license has been granted to him by 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 or selling clams not dug or taken by himself.

The municipal officers of said town may revoke any license issued hereunder by them, upon evidence satisfactory to them that the person taking or selling clams has violated any of the laws of the state of Maine regulating the taking and sale of clams. In event the municipal officers refuse to issue the licenses provided for herein or in event any license has been revoked by the municipal officers of said town, the person aggrieved may apply to any justice of the superior court, who may order the issuance or

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restoration thereof, provided said justice finds the municipal officers acted fraudulently or corruptly or erred in their conclusion of facts.

Whoever takes, to sell, clams within said town without having obtained the license provided for herein or after such license has been revoked, shall be punished by a fine of not less than \$10, nor more than \$100, or by imprisonment for not more than 30 days.

All requirements, rights and powers hereinunder shall be additional to the requirements, rights, and powers conveyed by the general law.

Approved April 2, 1937.

Chapter 37

RESOLVE, Relating to Close Time in Waters Adjacent to Petit Manan.

Closed time in waters adjacent to Petit Manan, repealed. Resolved: That the commissioner of sea and shore fisheries be, and hereby is, directed to repeal rule and regulation numbered 4-A as it appears in the official rules and regulations of the department which was authorized by chapter 14 of the private and special laws of 1925.

Approved April 2, 1937.

Chapter 38

RESOLVE, Relating to Close Time in Gouldsboro, Eden, Trenton, Hancock, Sullivan and Sorrento.

Close time in certain towns, repealed. Resolved: That the commissioner of sea and shore fisheries be, and hereby is, directed to repeal rule and regulation numbered 2 as it appears in the official rules and regulations of the department which was authorized by chapter 29 of the private and special laws of 1923.

Approved April 2, 1937.

Chapter 39

RESOLVE, Relating to an Official Song for the State of Maine.

State of Maine song, designated. Resolved: That the song entitled "State of Maine Song" composed by Roger Vinton Snow be declared to be the official song of the state of Maine.

Approved April 5, 1937.