

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES
AS PASSED BY THE
Eighty-ninth and Ninetieth
Legislatures

OF THE
STATE OF MAINE

From April 21, 1939 to April 26, 1941
AND MISCELLANEOUS STATE PAPERS

Published by the Revisor of Statutes in accordance
with the Resolves of the Legislature approved June
28, 1820, March 18, 1840, March 16, 1842, and Acts
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PROPERTY OF THE
STATE OF MAINE
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PUBLIC LAWS

OF THE

STATE OF MAINE

As Passed by the Ninetieth Legislature

1941

Chapter 260

AN ACT Relating to Transportation of Lobsters.

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

Sec. 1. P. L., 1933, c. 2, § 74, amended. Section 74 of chapter 2 of the public laws of 1933 is hereby amended to read as follows:

‘Sec. 74. **Transportation of lobsters; licenses of smacks and vessels; bonds; regulations; forfeitures.** No person, firm or corporation by itself, its servants, or agents, save common carriers as provided in section 72, shall transport or cause to be transported lobsters beyond the limits of this state, and no person shall act as master or captain, of any smack, vessel, **boat**, or as a **driver of any automobile or truck**, or other means of transportation engaged in transporting lobsters without the state, unless licensed and having given bond as herein provided. The owner or owners and master or captain of any smack, vessel, **boat or as a driver of any automobile or truck**, or other means of transportation shall make written application for license to the commissioner who is hereby authorized to grant licenses to purchase and transport lobsters within and beyond the limits of this state. The applications shall state the name of the smack, vessel, **boat, automobile or truck** or other means of transportation together with a description sufficient to identify it, the name and address of the owner or owners, the name and address of the master or captain, **or driver**, the port of enrollment ~~and~~ or registry. The application shall further contain agreements by the applicant therein: to load the smack, vessel, **boat, automobile or truck**, or other means of transportation in the waters over which this state has jurisdiction, or **territory over which this state has jurisdiction**, and there only between sunrise and sunset, to allow without let or hindrance, inspection and search of such smack, vessel, **boat, automobile or truck**, or other means of transportation by the commissioner or his wardens, to stop when underway and return to harbor, **or state territories**, on command of the commissioner or his wardens, to return to the waters, **or territories**, of the state when so ordered by the commissioner or his wardens, to abide by all the laws of this state relating to lobsters. The application shall further contain an agreement that the full penal sum of the bond herein provided for shall be forfeited to the state on breach of any term in said application. The license issued on said application shall state the terms on which the license is issued and that it is issued in consideration of the agreements of the application. Before said license is issued, the applicant shall file with the commissioner a bond with surety approved by the commissioner in the penal sum of \$5,000 in the case of an owner or owners, and of \$500 in the case of a master ~~or~~,

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captain, or driver, conditioned that said sum shall be forfeited to the state upon breach of any agreement in the application and license. The fee for issuing said license shall be \$5 and a record shall be kept of the same, similar to that provided for other licenses in section 73. In addition to the statement of the terms on which the license is issued, the license shall bear the date of the taking effect and the termination thereof, which last named date shall be the last day of November next after it becomes effective. The license shall give no authority to purchase or transport in any smack, vessel, or other means of transportation except that named in the license but the name of the smack, vessel, boat, automobile or truck, or other means of transportation may be changed by the licensee upon application to said commissioner within the license period without further charge. Conviction of the licensee of violation of any statute relating to lobsters or breach of any agreement of application and license shall render the license void and make the full penal sum of the bond due to the state.'

Sec. 2. P. L., 1933, c. 2, § 75, amended. Section 75 of chapter 2 of the public laws of 1933 is hereby amended to read as follows:

'Sec. 75. Penalty for violation of section 74 by one not licensed. Whoever, as master, driver, or owner, transports lobsters without the state, not having obtained the license provided in the preceding section shall be punished by a fine of not less than \$50, nor more than \$500, and ~~both~~ the owner ~~and~~, the master, and driver shall become indebted to and pay to the state the sum of \$5,000, which sum shall be a lien upon said smack, vessel, boat, automobile or truck, or other contrivance, the lien to be enforced in the name of the state by appropriate process.'

Sec. 3. P. L., 1933, c. 2, § 76, amended. Section 76 of chapter 2 of the public laws of 1933 is hereby amended to read as follows:

'Sec. 76. Penalty for violation of section 74 by one having license. Any owner ~~or~~, master, or driver, licensed to transport lobsters without the state as provided in section 74 who shall either load said smack, vessel, boat, automobile or truck, or other contrivance between sunset and sunrise or hinder or obstruct the commissioner or his wardens either directly or by refusal to stop and commit search, or violate any of the state laws relating to lobsters, shall be punished by a fine of not less than \$50, nor more than \$500. And loading said smack, vessel, boat, automobile or truck, or other contrivance outside the waters over which the state has jurisdiction or refusal to return to the jurisdictional waters, or territories, of the state on the order of the commissioner or his wardens shall be deemed a violation of the terms of the bond provided in section 74 and evidence of violation of the laws of the state relating to lobsters.'

Sec. 4. African crawfish, regulation of sale of. No person, firm or corporation shall sell or transport for sale within the state African crawfish, so-called, in any form. Any person, firm or corporation who violates any of the provisions of this section shall be punished by a fine of not less than \$50 nor more than \$1000.

Approved April 21, 1941

Chapter 261

AN ACT Relating to Farm Tractor Trailers.

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

R. S., c. 29, § 54, amended. The 1st part of subsection lettered "c" of section 54 of chapter 29 of the revised statutes, as amended, is hereby further amended to read as follows:

'c. Trailers.

	Per 100 lbs. gross weight of vehicle and load	
Equipped with		
Pneumatic tires	15 cents	} up to 1,000 lbs. load capacity
Solid rubber tires	40 cents	
Iron, steel or other hard tires	75 cents	

The minimum fee shall never be less than \$2. Provided, however, that the maximum fee for all trailers, whether semi-trailers or four-wheeled type, equipped with pneumatic tires and drawn at all times exclusively by farm tractors, shall be \$2 for each trailer when the said trailers are used and to be used by farmers for the sole and exclusive purpose of transporting their own farm products, crops, fertilizers and farm tools and utensils, and subject to the further conditions and limitations that

- (1) no such load so transported shall at any time exceed 4 tons;
- (2) no such load shall be transported a distance greater than 20 miles from the point of origin to the point of destination; and
- (3) no such load shall be transported on the public highways of this state at a speed in excess of 15 miles an hour.

A violation of any of the terms and conditions of this subsection shall automatically disqualify the violator from the benefits hereof.'

Approved April 21, 1941