

# MAINE STATE LEGISLATURE

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ACTS AND RESOLVES  
AS PASSED BY THE  
Ninetieth and Ninety-first  
Legislatures  
OF THE  
STATE OF MAINE  
From April 26, 1941 to April 9, 1943  
AND MISCELLANEOUS STATE PAPERS

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**PUBLIC LAWS**

OF THE

**STATE OF MAINE**

As Passed by the Ninety-first Legislature

**1943**

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## CHAP. 169

tion with whom the child has been placed for care, and (d) name given to the child by the finder or custodian. The place where the child was found or custody assumed shall be known as the place of birth and the date of birth shall be determined by approximation. The report shall constitute the certificate of birth. If the child is thereafter identified, the record of birth made in compliance herewith and any certificate issued thereon, shall be null and void and so recorded.'

Effective July 9, 1943

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## Chapter 168

### AN ACT Relating to Taking of Soft-shelled Clams or Quahaugs.

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

**Sec. 1.** P. L., 1937, c. 109, § 1, amended. Section 1 of chapter 109 of the public laws of 1937 is hereby amended to read as follows:

'**Sec. 1.** Taking of soft-shelled clams or quahaugs, regulated. No person, firm or corporation shall dig or have in possession, or offer, or expose for sale soft-shelled clams or quahaugs less than 2 inches in the longest diameter, to the amount of more than 15% of any batch in whole or in part. This tolerance of 15% to be determined by numerical count, or by measure of not more than 4 pecks, taken at random from various parts of said lot or batch. Provided, however, that the commissioner of sea and shore fisheries in his discretion may, however, issue permits to persons who wish to take clam seed for the purpose of propagating clams.'

**Sec. 2.** P. L., 1937, c. 109, § 2, amended. Section 2 of chapter 109 of the public laws of 1937 is hereby amended to read as follows:

'**Sec. 2.** Penalty. Any person, firm or corporation who takes or has in his possession or offers for sale soft-shelled clams or quahaugs in violation of any of the provisions herein stated, or who neglects to comply with the regulations shall be punished by a fine of not less than \$10, nor more than \$100 for the 1st offense, and by a fine of not less than \$10, nor more than \$50 for each subsequent offense.'

Effective July 9, 1943

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## Chapter 169

### AN ACT Relative to Fox Hunting in York County.

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

**R. S., c. 38, § 72, sub-paragraph (a), amended.** The 8th paragraph of sub-paragraph (a) of section 72 of chapter 38 of the revised statutes, as revised, is hereby amended to read as follows:

'The open season on all other fur-bearing animals, including raccoons, but excepting ~~(bobcats, loupcevier, Canada lynx, and beaver, shall be from October 16th to February 15th are not fur-bearing within the meaning of this section)~~, except in the county of York where the open season on foxes shall be from October 16th to March 1st.'

Effective July 9, 1943

## Chapter 170

### AN ACT Permitting Men in the Armed Services to Make Valid Transfers of Property.

**Emergency preamble.** Whereas, a state of war now exists between the United States and the Axis Allies, and

Whereas, many soldiers and sailors did not have time to take care of their property, and the acknowledgments of the said soldiers and sailors in combat service cannot be taken under the present law of the state, and

Whereas, in the judgment of the legislature these facts constitute an emergency within the meaning of section 16 of Article XXXI of the constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety, now, therefore,

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

**R. S., c. 87, § 23, amended.** Section 23 of chapter 87 of the revised statutes is hereby amended by adding after the 1st paragraph thereof the following paragraph:

'Provided, however, that when a state of war exists between the United States and any other nation, any resident of the state who is in the armed forces of the United States, and who executes a general or special power of attorney, deed, lease, contract, or any instrument that is required to be recorded, may acknowledge the same as his true act and deed before any lieutenant or officer of senior grade thereto in the army, or before any ensign or officer of senior grade thereto in the navy, and the record of such acknowledgment by said officers shall be received and have the same force and effect as acknowledgments under the other provisions of this section.'

**Emergency clause.** In view of the emergency cited in the preamble, this act shall take effect when approved.

Effective March 25, 1943