

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

Ninety-fifth Legislature

OF THE

STATE OF MAINE

Published by the Director of Legislative Research in accordance with subsection VI of section 26 of chapter 9 of the Revised Statutes of 1944.

KENNEBEC JOURNAL
AUGUSTA, MAINE
1951

PUBLIC LAWS

OF THE

STATE OF MAINE

As Passed by the Ninety-fifth Legislature

1951

Chapter 177

AN ACT Relating to Taking of and Dealing in Clams, Quahogs and Marine Worms in the Town of Brunswick.

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

R. S., c. 34, §§ 88-E - 88-H, additional. Chapter 34 of the revised statutes, as revised, is hereby amended by adding thereto 4 new sections to be numbered 88-E to 88-H, inclusive, to read as follows:

'Sec. 88-E. License required to dig or take clams, etc., in town of Brunswick; definition. No person, firm or corporation shall, within the limits of the town of Brunswick, in the county of Cumberland, dig or take any clams, quahogs, clam-worms, sand-worms or blood-worms without having first obtained a license from the municipal officers of said town of Brunswick, who are authorized to grant and issue such licenses and fix the fee therefor. No license shall be granted or issued to any person, firm or corporation unless such person, firm or corporation is a resident of said town of Brunswick. Nothing herein shall prohibit a riparian owner of shores or flats in said town of Brunswick from digging and taking clams and quahogs therefrom for food for himself and family without license. For the purposes of sections 88-E to 88-H, inclusive, the term "a resident" shall mean a person, firm or corporation who has resided in this state for a term of at least 6 consecutive months and in the town of Brunswick for at least 3 consecutive months prior to making application for license.

Sec. 88-F. Dealers' licenses required; definition. No person shall be a dealer in clams, quahogs, clam-worms or blood-worms in the town of Brunswick without having first obtained a license from the municipal officers of said town, who are authorized to issue such license and fix the fee therefor. For the purpose of sections 88-E to 88-H, inclusive, the term "dealer" herein used shall mean any person, firm or corporation buying clams, quahogs, clam-worms or blood-worms for resale.

Sec. 88-G. Licenses; revocation; appeals. The municipal officers may revoke any license issued by them under the provisions of the preceding section, upon evidence satisfactory to them that the person digging or taking clams, quahogs, clam-worms, blood-worms or sand-worms has violated any of the laws of the state regulating the digging or taking of clams, quahogs, clam-worms, blood-worms or sand-worms. If the municipal officers refuse to issue the license provided for in said section or if a license has been revoked by the municipal officers, a person aggrieved may apply to any justice of the superior court, in term time or vacation, who may order the issuance or restoration thereof, provided said justice finds the muni-

cipal officers acted fraudulently or corruptly or erred in their conclusion of facts.

Sec. 88-H. Penalty. Whoever violates any of the provisions of sections 88-E to 88-G, inclusive, shall be punished by a fine of not less than \$10, nor more than \$100, or by imprisonment for not more than 30 days. Trial justices within their county shall have jurisdiction concurrent with municipal courts and the superior court of prosecutions for violations hereof.'

Effective August 20, 1951

Chapter 178

AN ACT Relating to Joint Operation of Schools.

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

R. S., c. 37, § 28, amended. Section 28 of chapter 37 of the revised statutes is hereby amended by adding at the end thereof, the following paragraph:

'Two or more towns cooperatively may acquire property and construct, extend, enlarge, repair and maintain school projects on a common site when the plan for locating, owning, operating, administering and financing said project has been approved by each participating town and by the state board of education.'

Effective August 20, 1951

Chapter 179

AN ACT Relating to Payment to Androscoggin County Law Library.

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

R. S., c. 79, § 151, amended. That part of section 151 of chapter 79 of the revised statutes, which relates to Androscoggin county, as repealed and replaced by chapter 253 of the public laws of 1945, is hereby amended to read as follows:

'Androscoggin, ~~\$1,500~~ \$2,000.'

Effective August 20, 1951