

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

Ninety-fifth Legislature

OF THE

STATE OF MAINE

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Private and Special Laws

OF THE

STATE OF MAINE

As Passed by the Ninety-fifth Legislature

1951

which said judge may reside; and in addition thereto said judge shall receive for every blank writ signed by him, 5c; for entry of each civil action, 50c; taxing costs and recording judgment, 25c; writ of execution or possession, 15c.'

Effective August 20, 1951

Chapter 118

AN ACT Relating to the Digging of Shellfish and Marine Worms in the Town of Yarmouth.

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

Sec. 1. License required to dig or take clams, etc., in Yarmouth; definition. No person, firm or corporation shall, within the town of Yarmouth, in Cumberland county, dig or take any clams, clam-worms, blood-worms, quahogs or mussels for sale without first having obtained a license from the municipal officers of said town of Yarmouth, who are hereby authorized to grant and issue such licenses and fix the fees therefor. No license shall be granted or issued to any person, firm or corporation unless said person, firm or corporation is a resident of said town of Yarmouth. Nothing herein shall prohibit any inhabitant, or temporary resident, or any riparian owner of shores or flats within said town, from digging or taking clams for food for himself and family without license; provided the amount so taken shall not be in excess of $\frac{1}{2}$ bushel per tide per person. Licenses issued under authority hereof shall expire at midnight of December 31st of the calendar year in which they are issued.

Sec. 2. Resident; definition of. For the purposes of sections 1 to 4, 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 Yarmouth for at least 3 months prior to making application for license.

Sec. 3. Dealers' licenses required; definition. No person shall be a dealer in clams, quahogs and mussels, clam-worms or blood-worms in the town of Yarmouth, 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 1 to 4, inclusive, the term "dealer" herein used shall mean any person, firm or corporation buying clams, quahogs and mussels, clam-worms or blood-worms for resale.

Sec. 4. Licenses; revocation; appeals. The municipal officers may revoke any license issued by them under the provisions of the 3 preceding sections, upon evidence satisfactory to them that the person taking or selling clams, quahogs and mussels, clam-worms or blood-worms has violated any of the laws of the state regulating the taking and sale of clams, quahogs and mussels, clam-worms or blood-worms. If the municipal officers refuse to issue the license provided for in said sections 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 municipal officers acted fraudulently or corruptly or erred in their conclusion of facts.

Sec. 5. Penalty. Whoever violates any of the provisions of sections 1 to 4, 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 119

AN ACT Relating to the Taking of Alewives in Winnegance Lake in the City of Bath and the Towns of Phippsburg and West Bath.

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

Taking of alewives in Winnegance lake regulated. Exclusive rights in the taking of alewives from Winnegance lake in the city of Bath and the towns of Phippsburg and West Bath shall be optional with the city and towns.

The city of Bath and the towns at their annual meetings may determine by vote whether the alewife fishing in these waters shall be operated by the city and towns, through their municipal officers or a committee or committees appointed for that purpose, or the privilege offered for sale by said municipal officers or committee or committees; and likewise may provide for regulations, compatible with good conservation practices, to govern the times when and the manner in which alewives shall be taken therein. Provided, however, that there shall be a 24-hour weekly closed season on alewives in all such waters from sunrise on each Saturday morning until sunrise on the following Sunday morning.