

NORTH CAROLINA GENERAL ASSEMBLY
1959 SESSION

CHAPTER 444
SENATE BILL 22

AN ACT TO AMEND G. S. 113-136 RELATING TO THE TAKING OF CLAMS,
SHRIMP, FISH AND OYSTERS BY PERSONS FOR THEIR OWN PERSONAL
USE.

The General Assembly of North Carolina do enact:

Section 1. That G. S. 113-136, as the same appears in the 1957 Cumulative Supplement to the General Statutes, is amended by adding at the end thereof the following:

"Notwithstanding any rule or regulation heretofore or hereafter adopted by the Board of Conservation and Development or any law to the contrary, any person may at any time take shrimp, fish and clams from the waters of the State for his own personal or family use except from polluted areas so designated by the State Board of Health and except from areas closed by the Board of Conservation and Development for planting purposes.

"Any person may at any time during the closed season take oysters from the open waters of the State during Tuesday and Friday of each week for his own personal or family use and consumption not to exceed one bushel per person; provided, however, that the possession at any one time of more than the quantity herein provided for shall be prima facie evidence that the possession is unlawful and for the purpose of sale. No boat may be used to take more than five bushels of oysters per day from the waters of the State during the closed season. If any person shall sell or offer for sale any clams, fish, shrimp or oysters taken for his own personal or family use, he shall be guilty of a misdemeanor and upon conviction shall be fined fifty dollars (\$50.00) or imprisoned not exceeding thirty (30) days."

Sec. 1½. This Act shall not be construed to authorize any taking of fish in the inland waters of this State in violation of rules and regulations adopted by the Wildlife Resources Commission pursuant to any laws in effect at the time this Act becomes effective.

S,ec. 1 ¾. The provisions, of this Act shall apply only to Brunswick, New Hanover and Pender Counties.

Sec. 2. All laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

Sec. 3. This Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 5th day of May, 1959.