

MAINE STATE LEGISLATURE

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NEW DRAFT.

SEVENTY-THIRD LEGISLATURE

HOUSE.

No. 239

STATE OF MAINE.

IN THE YEAR OF OUR LORD ONE THOUSAND NINE
HUNDRED AND SEVEN.

AN ACT to amend Section forty-four of Chapter forty-one of
the Revised Statutes relating to the taking of smelts.

*Be it enacted by the Senate and House of Representatives in
Legislature assembled, as follows:*

Section 1. Section forty-four of chapter forty-one of the
2 Revised Statutes, as amended by chapters twenty, thirty, and
3 ninety-one of the Public Laws of 1905, is hereby further
4 amended by striking out the words "first and the fifteenth
5 days of April" in the thirty-fourth and thirty-fifth lines there-
6 of and inserting in the place thereof the words 'first day of
7 April and the first day of May,' so that said section as
8 amended shall read as follows:

'Sect. 44. No smelts shall be taken or fished for in tidal waters, except by hook and line, between the first days of April and October, under a penalty of not less than ten, nor more than thirty dollars for each offence, and a further penalty of twenty cents for each smelt so taken, and all weirs for the capture of smelts shall be open and so remain, and all nets used in the smelt and tomcod fishery shall be taken from the water on or before said first day of April, under a penalty of not less than twenty, nor more than fifty dollars, and a further fine of five dollars for each day that any such weir or net remains in violation of law. But weirs with catch pounds covered with nets, the meshes of which are one inch square in the clear, or greater, are not subject to this section. But no smelts caught in such weirs after the first day of April, shall be sold or offered for sale in this state, nor shall smelts caught in any manner between the first day of April and the first day of October following be offered for sale, sold or shipped from the state under a penalty of twenty-five dollars for each offense; provided, however, that dip nets may be used between the first day of April and the first day of May, and all smelts caught by dip nets between said days may be lawfully offered for sale and sold in this state; provided, further, that this section does not apply to smelts taken in the Androscoggin river above the Merrymeeting bay bridge, or in Narraguagus bay or river between the first days of October and November, nor to smelts taken in the Penobscot river and its tributaries.

36 between the first and thirtieth days of April, nor to smelts
37 taken in Casco bay between the fifteenth day of September
38 and the first day of October, nor to smelts taken in Franklin
39 bay between the first day of April and the first day of May,
40 nor to smelts taken in Little Kennebec bay, so called, or in
41 Narraguagus bay or river, in the county of Washington,
42 between the first day of April and the first day of May, nor
43 to smelts taken in West bay and West Bay stream, so called,
44 in the town of Gouldsboro, Hancock county, between the
45 first day of April and the first day of May, nor to smelts
46 taken in Passamaquoddy bay between the first day of Sep-
47 tember and the first day of October.'

Sect. 2. This act shall take effect when approved.

STATT OF MAINE.

HOUSE OF REPRESENTATIVES,

Augusta, February 21, 1907.

Reported by Mr. HERRICK from Committee on Shore Fisheries and
ordered printed under joint rules.

E. M. THOMPSON, *Clerk.*