

# MAINE STATE LEGISLATURE

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SEVENTY-SEVENTH LEGISLATURE

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HOUSE

NO. 504

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*In House of Representatives, March 4, 1915.*

*Reported by Mr. Goldthwait from Committee on Sea and  
Shore Fisheries and ordered printed under joint rules.*

*C. C. HARVEY, Clerk.*

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STATE OF MAINE

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IN THE YEAR OF OUR LORD ONE THOUSAND NINE  
HUNDRED AND FIFTEEN

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AN ACT to amend Section forty-four of Chapter forty-one of  
the Revised Statutes as amended by section one of Chapter  
one hundred and thirteen of the Public Laws of nineteen  
hundred and thirteen relating to taking Smelts in Tide  
Waters.

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

Section forty-four of chapter forty-one of the revised stat-  
utes as amended by section one of chapter one hundred and  
thirteen of the public laws of nineteen hundred and thirteen  
is hereby amended by inserting after the word "waters" in  
the second line the following words: 'nor in any brook,  
stream or river emptying into tide waters, within one thou-

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7 sand feet of tide water,' so that said section as amended  
8 shall read as follows :

'Sect. 44. No smelts shall be taken or fished for in tidal  
10 waters, nor in any brook, stream or river emptying into  
11 tide waters, within one thousand feet of tide waters, except  
12 by hook or line, between the first days of April and Octo-  
13 ber, under a penalty of not less than ten, nor more than  
14 thirty dollars for each offense, and a further penalty of  
15 twenty cents for each smelt taken, and all weirs for the  
16 capture of smelts shall be open and so remain, and all nets  
17 used in the smelt and tomcod fishery shall be taken from  
18 the water on or before the first day of April under a penalty  
19 of not less than twenty, nor more than fifty dollars, and a  
20 further fine of five dollars for each day that such weir or net  
21 remains in violation of law. But weirs with catch pounds  
22 covered with nets, the meshes of which are one inch square  
23 in the clear, or greater, and weirs with catch pounds cov-  
24 ered with nets, which are erected and used for catching of  
25 herring are not subject to this section. But no smelts caught  
26 in such weirs after the first day of April, shall be sold or  
27 offered for sale in this state, nor shall smelts caught in any  
28 manner between the first day of April and the first day of  
29 October following be offered for sale, sold or shipped from  
30 the state under a penalty of twenty-five dollars for each  
31 offence; provided, however, that dip nets may be used be-  
32 tween the first day of April and the first day of May, and  
33 all smelts caught by dip nets between said days may be  
34 lawfully offered for sale and sold in this state; provided

\*  
35 further, that this section does not apply to smelts taken in the  
36 Androscoggin river above Merrymeeting bay bridge, or in  
37 Narraguagus bay or river between the first days of October  
38 and November, nor to smelts taken in Penobscot river and  
39 its tributaries between the first and thirtieth days of April,  
40 nor to smelts taken in Casco Bay between the fifteenth day  
41 of September and the first day of October, nor to smelts  
42 taken in Franklin bay between the first day of April and the  
43 first day of May, nor to smelts taken in Little Kennebec bay,  
44 so called, or in Narraguagus bay or river, in the county of  
45 Washington, between the first day of April and the twen-  
46 tieth day of May, nor to smelts taken in West bay and West  
47 bay stream, so called, in the town of Gouldsboro, Hancock  
48 county, nor to smelts taken in Tunk stream and Parritt and  
49 Whitten stream, so called, in the town of Steuben in Wash-  
50 ington county, between the first day of April and the first  
51 day of May, nor to smelts taken in Passamaquoddy bay, St.  
52 Croix river and Cobscook bay and the coves and inlets trib-  
53 utary to these bays between the first day of September and  
54 first day of October.'