

MAINE STATE LEGISLATURE

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EIGHTY-FOURTH LEGISLATURE

House Document

No. 401

H. P. 1209 House of Representatives, February 19, 1929.

Referred to Committee on Inland Fisheries and Game and
500 copies ordered printed. Sent up for concurrence.

CLYDE R. CHAPMAN, Clerk.

Presented by Mr. Patterson of Freeport.

STATE OF MAINE

IN THE YEAR OF OUR LORD ONE THOUSAND NINE
HUNDRED AND TWENTY-NINE

AN ACT Relating to Smelts.

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

Section twenty-six of chapter two hundred nineteen of
2 the public laws of nineteen hundred seventeen as amended,
3 is hereby further amended by adding in the seventeenth line
4 thereof after the word "warden," the following: 'provided,
5 however, that it shall be unlawful to fish for, take, catch,
6 or kill any smelt at any time, by any means in any of the
7 fresh water brooks or streams, and branches thereof, in
8 this state which flow directly into the tide waters,' so that
9 said section as amended shall read as follows:

'Sect. 26. It shall be lawful, however, to take smelts in
2 all the inland waters of the state above tide waters with a
3 dip-net in the usual and ordinary way, and to catch them
4 through the ice in the day time with single hook and line,
5 at any time, in waters open to ice fishing, but they shall not
6 be taken for sale, or sold at any time, except for bait for
7 fishing in this state.

Provided, however, that it shall be lawful to take smelts,
2 with single hook and line, in the day time, in Sebago lake,
3 for sale within the state, during January, February and
4 March of each year, but they shall not be taken with a dip-
5 net in any of the tributaries to Sebago lake except for food
6 purposes in the family of the person taking the same or to
7 be sold only for bait for fishing within this state; and pro-
8 vided, further, that no family shall take or have in posses-
9 sion in any one day, more than one peck of said smelts by
10 means of a dip-net in said waters, and then only under per-
11 mit issued by the department of inland fisheries and game
12 on application duly approved by an inland fish and game
13 warden or deputy inland fish and game warden; provided,
14 however, that it shall be unlawful to fish for, take, catch, or
15 kill any smelt at any time, by any means, in any of the
16 fresh water brooks or streams, and branches thereof, in
17 this state which flow directly into the tide waters; and pro-
18 vided, further, that it shall be unlawful to take smelts at
19 any time in Swan lake, or in any of the tributaries to said
20 lake, in the county of Waldo, in any manner except with

21 single hook and line; and provided, further, that it shall
22 be unlawful to take any smelts at any time during the
23 spawning season from either of the three tributaries flowing
24 into the head of Bryant pond, or Lake Christopher, so-
25 called, in the town of Woodstock, in the county of Oxford.
26 Provided, further, that it shall be lawful to take minnows
27 and other fish usually used for bait for fishing, in all the
28 inland waters of the state, and to sell the same for bait for
29 fishing only in this state; and provided, further, that it shall
30 be lawful to catch white fish with single hook and line at
31 any time, in all the inland waters of the state, but they shall
32 not be taken at night with set lines; and provided, further,
33 that white fish and cusk may be taken, by means of nets,
34 for food purposes only in the family of the person taking
35 the same, in such waters as the commissioner of inland fish-
36 eries and game may deem advisable, and under such condi-
37 tions, rules and regulations as he may establish; and pro-
38 vided, further, that it shall be lawful to catch cusk at any
39 time in waters open to ice fishing with not more than five
40 set lines to each family when fishing through the ice and
41 when under the immediate personal supervision of the per-
42 son fishing; and provided, further, that it shall be lawful
43 to take suckers with spears, in all the inland waters of the
44 state, during April and May of each year. Provided, fur-
45 ther, that the commissioner of inland fisheries and game
46 may grant special permits to take white perch in the inland
47 waters of the state for the purpose of science, propagation

48 or dissemination or for the purpose of ridding any inland
49 waters of white perch, whenever, after investigation, he
50 deems it advisable. Whoever violates any provision of this
51 section shall pay a fine of fifty dollars and costs for each
52 offense.'