

MAINE STATE LEGISLATURE

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April 24, 1941

Arthur R. Greenleaf, Esquire
Commissioner Sea and Shore Fisheries
Boothbay Harbor, Maine

My dear Commissioner:

I have checked the statutes to determine the present status of Chapter 71, P. & S. L. 1923 "AN ACT For the Better Protection of Smelts in the Damariscotta River". Paragraph 3 of Section 29 of the Inland Fish and Game Laws reads as follows:

"Provided, however, it shall be lawful to catch smelts with the hands for table use only in the family of the person catching the smelts, said smelts not to be caught and sold, in any of the brooks of the state flowing directly into tide-water, during the months of April and May of each year."

Inasmuch as the Damariscotta River flows directly into tide water, this new paragraph in the general law effectively modifies the special act of 1923.

Very truly yours,

Frank I. Cowan, Attorney General

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