

# MAINE STATE LEGISLATURE

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# Sixty - Third Legislature.

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SENATE.

No. 69.

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## STATE OF MAINE.

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IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED AND  
EIGHTY-SEVEN.

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### AN ACT for the better protection of the Lobster Fisheries.

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

SECTION 1. There shall be a close time for  
2 lobsters between the first day of August and the  
3 fifteenth day of September in each year, during  
4 which no lobsters shall be taken, caught, killed,  
5 bought, sold, exposed for sale or in possession in  
6 cars, pounds or otherwise, under a penalty of fifty  
7 dollars for the offense and one dollar for every  
8 lobster so taken, caught, killed, bought, sold, ex-  
9 posed for sale, or in possession as aforesaid.

SECT. 2. During the close time, as set forth in

2 the preceding section, all traps, nets, or other  
3 devices for the catching of lobsters, shall be re-  
4 moved from the water, there to remain during the  
5 entire close time, and all traps, nets, or other device  
6 for the catching of lobsters, which are suffered to  
7 remain in the waters in close time, shall be forfeited,  
8 and the owner or owners thereof subjected to a  
9 penalty of twenty-five dollars for the offense, and  
10 a further penalty of five dollars for each day that  
11 such traps, nets, or devices, shall remain in the  
12 water contrary to law.

SECT. 3. All cars in which lobsters are kept and  
2 all lobster cars while in the water shall have the  
3 name of the owner or owners thereof on the top  
4 of the car where it may be plainly seen, in letters  
5 not less than three-fourths of an inch in length,  
6 plainly carved or branded thereon, and all traps,  
7 nets, or other device for the catching of lobsters,  
8 shall have, while in the water, the owner's name  
9 carved or branded in like manner on all the buoys  
10 attached to said traps or other devices. All lob-  
11 ster cars, nets, traps or other devices for the catch-  
12 ing and keeping of lobsters, not so marked, shall,  
13 with their contents be forfeited. If such cars,  
14 traps, or nets are seized for violation of law during  
15 close time, and any lobsters are therein found, such

16 lobsters shall be liberated, and such cars, traps,  
17 nets, or other devices for the catching or keeping  
18 lobsters contrary to law, may be sold to the highest  
19 bidder by the person making seizure thereof, first  
20 giving three days notice of such sale by posting  
21 notices of the time and place of such sale, in three  
22 public and conspicuous places in the town where  
23 such sale is to be held, which notices shall also give  
24 a proper description of the articles to be disposed  
25 of at the aforesaid sale. If such seizure is made  
26 in the season in which it is lawful to catch lobsters,  
27 the contents of such cars, or traps may also be  
28 sold, in the same manner, first giving the same  
29 notice as aforesaid.

SECT. 4. No person or corporation shall can or  
2 preserve any lobster between the first day of  
3 July and the fifteenth day of the following April,  
4 under a penalty of five dollars for every lobster so  
5 canned or preserved and a further penalty of three  
6 hundred dollars for each day on which such unlaw-  
7 ful canning or preserving is done; *provided, how-*  
8 *ever,* that it shall be lawful for dealers to preserve  
9 in pickle, or vinegar, such surplus stock as for  
10 good reasons can not be disposed of otherwise.

SECT. 5. It is unlawful to buy, sell, expose for  
2 sale, or possess any female lobster in spawn or

3 with eggs attached, or any lobster less than ten  
4 and one half inches in length, when alive or dead,  
5 cooked or uncooked, measured in manner as fol-  
6 lows: taking the length of the back of the lob-  
7 ster measured from the bone of the nose, to the  
8 end of the bone of the middle flipper of the tail,  
9 the length to be taken with the lobster extended  
10 on the back its natural length, and any lobster  
11 shorter than the prescribed length when caught,  
12 shall be liberated alive at the risk and cost of the  
13 party taking them, under a penalty of one dollar  
14 for each lobster so bought, sold, exposed for sale,  
15 or in possession, not so liberated. The possession  
16 of mutilated, uncooked lobsters shall be *prima*  
17 *facie* evidence that they are not of the required  
18 length.

SECT. 6. When in case of seizure, by any duly  
2 authorized officer, of any barrels, boxes, or other  
3 packages in transit, containing lobsters less than  
4 the prescribed limit of length, such lobsters as are  
5 alive and less than the prescribed limit shall be  
6 liberated, and all such lobsters as are of the pre-  
7 scribed length, found in such barrels, boxes or  
8 packages, in the season for legal fishing for lob-  
9 sters, shall be forfeited, and sold by the officer  
10 making the seizure thereof, at such time and in

11 such manner as shall by him be deemed proper,  
12 and the proceeds of such sale shall be disposed of  
13 in manner as hereinafter provided. But if the  
14 owner or owners thereof appear within twenty-four  
15 hours from time of seizure and pay to the officer  
16 making such seizure, a fine of one dollar for each  
17 lobster less than the prescribed limit. found in  
18 the lot so seized, then the officer shall deliver to  
19 the owner thereof such lobsters as were found to  
20 be of the legal limit.

SECT. 7. All fines and penalties under this act  
2 may be recovered by indictment or action of debt,  
3 and together with all forfeitures shall go one half  
4 to the complainant or prosecutor and one half to  
5 the county in which the offence is committed.

SECT. 8. So much of sections twenty-two, twen-  
2 ty-four and twenty-five of chapter forty of the  
3 Revised Statutes, as relates to lobsters, and sec-  
4 tions nineteen, twenty and twenty-one of the same  
5 chapter, as amended by chapter two hundred  
6 seventy-five of the public laws of eighteen hundred  
7 eighty-five are hereby repealed.

SECT. 9. This act shall take effect July first,  
2 eighteen hundred eighty-seven.



STATE OF MAINE.

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IN SENATE, March 4, 1887.

Reported by Mr. HINCKLEY from Committee on Fisheries and Game;  
and laid on table to be printed under joint rule.

CHARLES W. TILDEN, *Secretary*.