

MAINE STATE LEGISLATURE

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Sixty - Third Legislature.

SENATE.

No. 81.

STATE OF MAINE.

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

AN ACT to amend section forty-six of chapter forty
of the Revised Statutes, to provide for the better
protection of Smelts.

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

SECTION 1. Section forty-six of chapter forty of
2 the Revised Statutes is hereby amended by insert-
3 ing in the eleventh line of said section, after the
4 word "section" the following words, 'but no smelts
5 caught in such weirs after the first day of April
6 shall be sold, or offered for sale in this State, nor
7 shall smelts caught in any manner between the first
8 day of April and the first day of October following
9 be offered for sale, sold, or shipped from the State,

10 under a penalty of twenty-five dollars for each
11 offence.' Also further amended by striking out the
12 word "twentieth" in the twelfth line and inserting
13 the word twenty-fifth, so that the said section as
14 amended shall read as follows:

‘SECT. 46. No smelts shall be taken or fished for
16 in tidal waters except by hook and line between the
17 first days of April and October, under a penalty of
18 not less than ten nor more than thirty dollars for
19 each offence, and a further penalty of twenty cents
20 for each smelt so taken, and all weirs for the cap-
21 of smelts shall be opened, and so remain, and all
22 nets used in the smelt and tom-cod fishing shall be
23 taken from the water on or before said first day of
24 April, under a penalty of not less than twenty nor
25 more than fifty dollars, and a further fine of five
26 dollars for each day that any such weir or net re-
27 mains in violation of law; but weirs with catch
28 pounds covered with net, the meshes of which are
29 one inch square in the clear, or greater, are not
30 subject to this section. But no smelts caught in
31 such weirs after the first day of April shall be
32 sold, or offered for sale in this State, nor shall
33 smelts caught in any manner between the first day
34 of April and the first day of October following be
35 offered for sale, sold, or shipped from the State

36 under a penalty of twenty-five dollars for each of-
37 fence; *provided, however,* that dip nets may be
38 used between the first and twenty-fifth days of
39 April. *Provided, further,* that this section does
40 not apply to smelts taken in the Androscoggin
41 River above the Merry Meeting Bay Bridge be-
42 tween the first days of October and November, nor
43 to smelts taken in the Penobscot River and its trib-
44 utaries between the first and fifteenth days of
45 April.'

SECT. 2. This act shall take effect when ap-
2 proved.

STATE OF MAINE.

IN SENATE, March 9, 1887.

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

C. W. TILDEN, *Secretary.*