

MAINE STATE LEGISLATURE

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Sixty-Fourth Legislature

HOUSE.

No. 246.

STATE OF MAINE.

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

AN ACT for the Regulation of the Lobster Fisheries for the
State of Maine.

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

SECTION 1. No person shall destroy, buy, sell, expose
2 for sale or possess, any female lobster in spawn or with
3 eggs attached, at any season of the year, under a penalty
4 of ten dollars for each lobster so destroyed, bought, sold,
5 exposed for sale or possessed.

SECT. 2. It is unlawful to catch, buy, or sell or expose
2 for sale, or possess, for any purposes, between the first
3 first day of July and the first day of the following Feb-
4 ruary, and from the first day of April to the first day of
5 the following May, any lobster less than ten and one-half
6 inches in length, alive or dead, cooked or uncooked,
7 measured in manner as follows: taking the length of the
8 back of the lobster, measured from the bone of the nose

9 to the end of the bone of the middle flipper of the tail,
10 the length to be taken with the lobster extended on the
11 back its natural length, and any lobsters shorter than the
12 prescribed length when caught, shall be liberated alive at
13 at the risk and cost of the parties taking them, under a
14 penalty of one dollar for each lobster so caught, bought,
15 sold, exposed for sale, or in possession, not so liberated.

SECT. 3. No person shall catch, buy, sell, or expose
2 for sale, or possess for any purposes, during the months of
3 February and March, and May and June, lobsters less than
4 nine inches in length, under the same penalties as provided
5 in section two.

SECT. 4. No person, firm, association or corporation,
2 shall can or preserve, or cause to be canned or preserved,
3 any lobsters except during the months of May and June,
4 and during said months it shall be unlawful to can or
5 preserve lobsters less than nine inches in length, alive or
6 dead, measured as aforesaid, and for every lobster canned
7 or preserved contrary to the provisions of this section,
8 every person, firm, association or corporation so canning
9 or preserving, shall be liable to a penalty of five dollars
10 for every lobster so canned or preserved, and a further
11 penalty of three hundred dollars for each day on which
12 such unlawful canning or preserving is carried on; *pro-*
13 *vided, however,* that it shall be lawful for dealers to pre-
14 serve in pickle or vinegar such surplus stock as for good
15 reasons cannot be disposed of otherwise.

SECT. 5. In case of seizure by any duly authorized
2 officer of any barrels, boxes or other packages, in transit,
3 containing lobsters less than the prescribed length, such
4 lobsters as are alive and less than the prescribed length,

5 shall be liberated, and all such lobsters as are of the pre-
6 scribed length found in such barrels, boxes or packages,
7 shall be forfeited and sold by the officer making the
8 seizure thereof, at such time and in such manner as shall
9 by him be deemed proper, and the proceeds of such sale
10 be disposed of in manner as hereinafter provided; but if
11 the owner or owners thereof shall appear within twenty-
12 four hours from the time of the seizure and pay to the offi-
13 cer making such seizure a fine of one dollar for each lob-
14 ster less than the prescribed limit found in the lot so
15 seized, then the officer shall deliver to the owner thereof
16 such lobsters as were found to be of the legal limit.

SECT. 6. All fines and penalties under this act may be
2 recovered by indictment or action of debt, brought by any
3 person, and, together with all forfeitures, shall be paid into
4 the county treasury in the county where the offence is
5 committed.

SECT. 7. All laws, acts and parts of acts inconsistent
2 herewith, are hereby repealed.

SECT. 8. This act shall take effect when approved.

STATE OF MAINE.

Majority of the Committee on Fisheries and Game, to which was referred the bill, entitled "An Act for the Regulation of the Lobster Fisheries for the State of Maine," have had the same under consideration, and ask leave to report that the same ought to pass.

GEO. W. SMITH,
O. B. WHITTEN,
F. S. WARREN,
CLINTON M. HAMILTON,
J. F. HICHBORN,
HENRY NASH.

SMITH, *of Committee.*

STATE OF MAINE.

HOUSE OF REPRESENTATIVES, }
February 23, 1889. }

Tabled, pending acceptance of report, and ordered printed with accompanying bill, on motion of Mr. SMITH of Jonesport.

NICHOLAS FESSENDEN, *Clerk.*