

MAINE STATE LEGISLATURE

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NEW DRAFT.

Sixty-Fifth Legislature.

HOUSE.

No. 212.

STATE OF MAINE.

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

AN ACT to amend section forty-six of chapter one
hundred and twenty-two of the Public Laws of
eighteen hundred and eighty-seven, 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 as amended by section one of
3 chapter one hundred and twenty-two of the public
4 laws of eighteen hundred and eighty-seven is

5 hereby amended by striking out the words “and
6 twenty-fifth day of April,” in the twentieth line
7 and inserting instead thereof, the words ‘first day
8 of April and the first day of May, and all smelts
9 caught by dip nets, between said days, may be
10 lawfully offered for sale and sold in this State,’
11 and also by adding to said section the words, ‘nor
12 to smelts taken in Casco bay between the fifteenth
13 day of September and the first day of October,’ so
14 that said section, as amended, shall read as fol-
15 lows:

‘Section 46. No smelts shall be taken or fished
17 for in tidal waters, except by hook and line,
18 between the first days of April and October, under
19 a penalty of not less than ten nor more than thirty
20 dollars for each offence, and a further penalty of
21 twenty cents for each smelt so taken, and all
22 weirs for the capture of smelts shall be opened
23 and so remain, and all nets used in the smelt and
24 tom-cod fishery shall be taken from the water on
25 or before said first day of April, under a penalty
26 of not less than twenty nor more than fifty dollars,
27 and a further fine of five dollars for each day that
28 any such weir or net remains in violation of law,
29 but weirs with catch pounds covered with net, the
30 meshes of which are one inch square in the clear,

31 or greater, are not subject to this section. But
32 no smelts caught in such weirs after the first day of
33 April shall be sold or offered for sale in this State,
34 nor shall smelts caught in any manner between the
35 first day of April and the first day of October fol-
36 lowing be offered for sale, sold, or shipped from
37 the State under a penalty of twenty-five dollars
38 for each offence; provided, however, that dip nets
39 may be used between the first day of April and
40 the first day of May, and all smelts caught by dip
41 nets between said days may be lawfully offered for
42 sale and sold in this State; provided, further, that
43 this section does not apply to smelts taken in the
44 Androscoggin river above the Merrymeeting bay
45 bridge between the first days of October and
46 November, nor to smelts taken in the Penobscot
47 river and its tributaries between the first and
48 fifteenth days of April, nor to smelts taken in
49 Casco bay between the fifteenth day of September
50 and the first day of October.'

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

STATE OF MAINE.

HOUSE OF REPRESENTATIVES, }
March 6, 1891. }

Reported by Mr. RAND of Greenwood, from Committee on Fisheries
and Game, and ordered printed under joint rules.

W. S. COTTON, *Clerk.*