

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

---

---

# Sixty-Seventh Legislature.

---

---

HOUSE.

No. 277.

---

---

## STATE OF MAINE.

---

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

---

AN ACT to amend chapter 292 of the Public Laws of 1889,  
entitled "An Act for the regulation of the Lobster Fish-  
eries."

---

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

SECTION 1. Section two of chapter 292 of the Public  
2 Laws of 1889 is hereby amended by striking out after the  
3 word "purposes," in the second line of said section the  
4 words "between the first day of July and the first day of  
5 the following May," so that said section as amended shall  
6 read as follows:

'Section 2. It is unlawful to catch, buy or sell, or  
8 expose for sale, or possess for any purposes any lobster

9 less than ten and one-half inches in length, alive or dead,  
10 cooked or uncooked, measured in manner as follows :  
11 taking the length of the back of the lobster, measured  
12 from the bone of the nose to the end of the bone of the  
13 middle flipper of the tail, the length to be taken with the  
14 lobster extended on the back its natural length, and any  
15 lobsters shorter than the prescribed length when caught,  
16 shall be liberated alive at the risk and cost of the parties  
17 taking them, under a penalty of one dollar for each lob-  
18 ster so caught, bought, sold, exposed for sale, or in pos-  
19 session, not so liberated.'

SECT. 2. Section three of chapter 292 of the Public  
2 Laws of 1889 is hereby repealed.

SECT. 3. Section four of chapter 292 of the Public  
2 Laws of 1889 as amended by chapter 76 of the Public  
3 Laws of 1891 is hereby amended by striking out all of  
4 said section before the word "it" in the fourth line of said  
5 section and inserting the words 'ten and one-half' in the  
6 place of the word "nine" in the fifth line thereof so that  
7 said section as amended shall read as follows :

'Section 4. It shall be unlawful to can, preserve or pickle  
9 lobsters less than ten and one-half inches in length, alive  
10 or dead, measured as aforesaid; and for every lobster  
11 canned, preserved or pickled contrary to the provisions of  
12 this section, every person, firm, association or corporation  
13 so canning, preserving or pickling shall be liable to a  
14 penalty of five dollars for every lobster so canned, pre-

15 served or pickled, and a further penalty of three hundred  
16 dollars for every day on which such unlawful canning,  
17 preserving or pickling is carried on.'

## STATEMENT OF FACTS.

To the Honorable Senate and House of Representatives of the State of Maine in Legislature assembled :

We, the undersigned, residents of the towns along the coast of Maine, wishing for a law for the better protection of lobsters, respectfully ask :

That there be enacted a law allowing the fishing, selling, preserving, and shipping of lobsters of any size, without restriction, (except lobsters with spawn or eggs attached) from the date of April 20th until June 30th inclusive, of each year.

At any time, it shall be unlawful to take or kill any female lobsters with eggs or spawn attached, or mutilate them by removal of the eggs or spawn from same, under a penalty of ten dollars for each and every such lobster so taken, killed or mutilated.

From July 1st until April 19th following inclusive, of each year, it shall be unlawful to catch, sell or preserve any lobsters under ten and one-half ( $10\frac{1}{2}$ ) inches in length, subject to a fine of one dollar for each and every lobster so caught, sold or preserved.

From August 1st to November 1st of each year it shall be unlawful to ship any lobsters out of the state of Maine, or sell any lobsters knowing them to be bought for that purpose, subject to a penalty of one dollar for each and every lobster so sold or shipped.

E. A. Holmes, N. B. Nutt, Chas. W. Hume, W. P. Bucknam, Pike & Kilby, James McPhee, Eliab Murphy, W. W. Lord, Dennis Collins, John B. Harrington, Arthur W. Woodman, E. S. Martin & Son, W. F. Alexander, L. M. & O. B. Whalen, J. Warren Cushing, P. Whalen, C. W. Bibber Co., Geo. N. Bibber, E. D. Whalen, L. J. Holitser, J. A. Greenlaw, J. G. Shead, E. E. Shead, E. W. Rumery, F. E. Moses, A. R. Bradford, W. Frank Buckman, S. Sherlock, H. J. Reynolds, W. F. Bradish, H. H. Roche, W. S. Mildon, F. S. & C. A. Paine.

Fred T. Eldridge, Harry Boyd, Wm. Greenlaw, James Thorpe, H. S. Bogout, J. W. Spates, William Berry, John W. Peesley, W. J. Gannett, James C. Hinkley, Walter Blanchard, Fred A. Holmes, G. W. Capen, J. M. Lowell, W. H. M. Larren, W. S. Hume, T. M. Bibber, F. A. Bibber, C. W. Brewster, D. R. Capen, Frank T. Wadsworth, W. T. Spates, John A. Lowe, George P. Andrews, Frank L. Ray, James H. Camplin, George M. Green, R. D. Camp-  
lin, H. B. Corthell, Lewis Clark, Lincoln H. Bowen, Arthur J. Silver, W. I. Fisher, E. C. Malloch, P. M. Kane, F. A. B. Field, F. A. Buck, G. A. Barnes, T. C. Buck, George H. Hayes, Chas. I. Morton, C. M. Buxton, Hallett Rowe, Lorenzo Green, A. Malloch, C. Mitchell, C. B. Dow, J. E. Wentworth, J. A. Palmer, J. P. Mabee, G. Crosby, Colin MacNichol, I. W. Swett, Phil McMehan, John B. Cates, C. H. Cummings, H. D. Cummings, T. L. Holmes, L. E. Holmes, C. A. Boyden.

### MAJORITY REPORT.

The majority of the Committee on Shore Fisheries to whom was referred the petition of E. A. Holmes and others, praying for a change in the lobster law, have had the same under consideration, and ask leave to report a bill which is herewith submitted, entitled "An Act to amend chapter 292 of the Public Laws of 1889, entitled 'An Act for the regulation of the Lobster Fisheries.'"

E. P. SPOFFORD,  
E. B. RODICK,  
H. T. CROCKETT,  
A. G. BLACK,  
JOHN O. PATTEN,  
SAMUEL ROSS,  
A. M. WELCH.

---

# Sixty-Seventh Legislature.

---

## STATE OF MAINE.

---

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

---

AN ACT for the better protection of Lobsters.

---

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

SECTION 1. It shall be unlawful to destroy, buy, sell,  
2 expose for sale or possess any female lobster in spawn or  
3 with eggs attached, at any season of the year, under a  
4 penalty of ten dollars for each lobster so destroyed,  
5 caught, bought, sold, exposed for sale or possessed; pro-  
6 vided, however, if it appears that he intended to liberate  
7 them in accordance with the provisions of this act, he  
8 shall not be liable to any of the penalties herein provided  
9 for, though he may have failed, from any cause not within  
10 his control, to liberate them. The possession of mutilated,  
11 uncooked lobsters shall be prima facie evidence that they  
12 are not of the required length.



SECT. 2. It is unlawful to catch, buy or sell, or expose  
2 for sale, or possess for any purposes, between the first  
3 day of July and the twentieth day of following April, any  
4 lobster less than ten and one-half inches in length, alive  
5 or dead, cooked or uncooked, measured in manner as fol-  
6 lows: Taking the length of the back of the lobster,  
7 measured from the bone of the nose to the end of the bone  
8 of the middle flipper of the tail, the length to be taken  
9 with the lobster extended on the back its natural length,  
10 and any lobsters shorter than the prescribed length when  
11 caught, shall be liberated alive at the risk and cost of the  
12 parties taking them, under a penalty of one dollar for  
13 each lobster so caught, bought, sold, exposed for sale, or  
14 in possession not so liberated.

SECT. 3. No person shall catch, buy, sell or expose for  
2 sale, or possess for any purpose, between April twentieth  
3 and July first, lobsters less than nine inches in length,  
4 under the same penalties as provided in section second.

SECT. 4. No person, firm, association or corporation,  
2 shall can or preserve, or cause to be canned or preserved,  
3 any lobsters except between April nineteenth and July  
4 first, and during said time 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.

SECT. 5. All barrels, boxes or other packages in transit  
2 containing lobsters shall be marked with the full name of

3 the shipper, and in case of seizure by any duly authorized  
4 officer of any barrels, boxes or other packages in transit  
5 containing lobsters, which are not marked by the full name  
6 of the shipper, or in case of seizure by such officer, of  
7 barrels, boxes or other packages in transit, containing  
8 lobsters less than the prescribed length, such lobsters as are  
9 alive and less than the prescribed length shall be liberated.

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 offense is  
5 committed.

SECT. 7. All cars in which lobsters are kept, and all  
2 lobster cars while in the water, shall have the name of the  
3 owner or owners thereof on the top of the car, where it  
4 may be plainly seen, in letters not less than three-fourths  
5 of an inch in length, plainly carved or branded thereon,  
6 and all traps, nets, or other device for the catching of  
7 lobsters, shall have, while in the water, the owner's name  
8 carved or branded in like manner on all the buoys attached  
9 to said traps or other devices, under a penalty of ten  
10 dollars for each car, and five dollars for each trap or  
11 device not so marked, and if sufficient proof to establish  
12 the ownership of such cars or traps cannot be readily  
13 obtained, they may be declared forfeited, subject to the  
14 provisions of chapter ninety-eight of the Revised Statutes  
15 including all of chapter one hundred and forty-four of the  
16 Public Laws of eighteen hundred and eighty-seven.

SECT. 8. From August first until October fifteenth,  
2 inclusive, it shall be unlawful to ship any lobsters out of  
3 the state of Maine, or put them into pounds during said

4 time, or for any person, firm or corporation, to have in  
5 possession, stored or kept in pounds, cars, smacks, or  
6 any device, at one time during said period more than a  
7 thousand lobsters, and these shall not be kept stored up  
8 more than seven days before they shall be sold for con-  
9 sumption or liberated. For each and every lobster  
10 shipped out of the state, or put into pounds or in posses-  
11 sion over the one thousand stated, during this time, viz. :  
12 From August the first to October the fifteenth, inclusive,  
13 there shall be a penalty or fine of one dollar for each and  
14 every lobster so shipped, put in pounds, or over the law-  
15 ful number in possession.

SECT. 9. Any person found guilty of fishing for lob-  
2 sters and selling them for the purpose of shipping them  
3 out of the state, or putting into pounds, or carrying them,  
4 or shipping them out of the state or to pounds, during the  
5 time stated in section eighth, shall be subject to a penalty  
6 of one hundred dollars fine for such offense.

SECT. 10. During the period of five days, namely,  
2 from October eleventh until October the fifteenth, inclusive,  
3 it shall be unlawful to have in possession in cars, smacks,  
4 or any such device, whatever, any live lobsters, subject  
5 to a fine of one dollar each for every lobster.

SECT. 11. All laws, acts and parts of acts inconsistent  
2 herewith are hereby repealed.

12. This act shall take effect when approved.

### MINORITY REPORT.

The minority of the Committee on Sea Shore Fisheries to whom was referred the petition of E. A. Holmes and others, praying that a change be made in the lobster law, have had the same under consideration, and ask leave to report a bill which is herewith submitted, entitled "An Act for the better protection of lobsters."

WARREN SAWYER.

STATE OF MAINE.

---

HOUSE OF REPRESENTATIVES, }  
March 5, 1895.

Tabled, pending acceptance of either report, by Mr. KINGMAN of Hancock, and with minority report and bills accompanying ordered printed.

W. S. COTTON, *Clerk.*