

# MAINE STATE LEGISLATURE

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# Sixty-Seventh Legislature.

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HOUSE.

No. 371.

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## STATE OF MAINE.

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

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AN ACT to amend sections forty-one and forty-three of chapter forty of the Revised Statutes, relating to Fisheries.

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

SECTION 1. Section forty-one of chapter forty of the 2 Revised Statutes is hereby amended by inserting after the 3 words "Augusta dam" the following: 'nor any salmon 4 above Ferry Point bridge on the St. Croix river in Calais,' 5 so that said section as amended shall read as follows:

'Section 41. No salmon, shad or other migratory fish 7 shall be taken or fished for within five hundred yards of 8 any fishway, dam, or mill race; nor in the Penobscot 9 river between the mouth of the Kenduskeag stream and 10 the water works dam at Treat's falls on said river; nor

11 between the Augusta highway bridge over the Kennebec  
12 river and the Augusta dam ; nor any salmon above Ferry  
13 Point bridge on the St. Croix river in Calais, between the  
14 first days of April and November, except by the ordinary  
15 mode of angling with single hook and line or artificial flies  
16 nor shall hook and line or artificial flies be used at any  
17 time within one hundred yards of any fishway dam or mill  
18 race ; but this section shall not apply to the taking of  
19 alewives by the town of Warren in the Georges river  
20 and by the town of Waldoborough in Medomak river under  
21 the authority granted said towns by the Private and  
22 Special Laws of Massachusetts passed March 6, 1802, and  
23 amendments thereto, passed by the legislature of this state ;  
24 nor shall it apply to the taking of alewives by the town of  
25 Woolwich in Nequasset stream ; provided that fly fishing  
26 shall be allowed up to the bridge across the Dennys river  
27 at Lincoln's mill, but not between said bridge and Lincoln's  
28 mill dam ; and provided also that fishing with an artificial  
29 fly or single baited hook and line shall be allowed up to  
30 within fifty feet of the dam across the Aroostook river in  
31 the town of Caribou. The penalty for violation of this  
32 section is a fine of not more than fifty nor less than ten  
33 dollars for each offense and a further fine of ten dollars  
34 for each salmon and one dollar for each shad so taken.'

SECT. 2. Section forty-three of chapter forty of the  
2 Revised Statutes is hereby amended by striking out the  
3 words "or to the Saint Croix river below the breakwater  
4 at the ledge," so that said section as amended shall read  
5 as follows :

'Section 43. Between the first day of April and the  
7 fifteenth day of July, there shall be a weekly close time

8 of forty-eight hours, from sunrise on each Saturday  
9 morning to sunrise on the following Monday morning  
10 during which no salmon, shad, alewives or bass shall be  
11 taken. During the weekly close time all seines, nets and  
12 other movable apparatus shall be removed from the water.  
13 Each weir shall have, in that part where the fish are  
14 usually taken, an opening three feet wide extending  
15 from the bottom to the top of the weir, and  
16 the netting or other material which closes the same while  
17 fishing, shall be taken out, carried on shore, and there  
18 remain during its weekly close time, to the intent that  
19 during said close time, the fish may have a free and  
20 unobstructed passage through said river or other structure,  
21 and no contrivance which tends to hinder such fish, shall  
22 be placed in any part thereof.

If the enclosure where the fish are taken, is furnished  
24 with a board floor, an opening extending from the floor to  
25 the top of the weir is equivalent to one extending from  
26 the bottom to the top. The penalty for the violation of  
27 this section is twenty dollars for each offence.

This section does not apply to the Kennebec, Andros-  
29 coggin or Penobscot rivers or their tributaries, or to the  
30 Aroostook river and its tributaries.'

The above section does not apply to the Penobscot and  
32 Belfast bays.

STATE OF MAINE.

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HOUSE OF REPRESENTATIVES, }  
March 14, 1895. }

Reported by Mr. WELCH of Kennebunkport, from Committee on  
Shore Fisheries, and ordered printed under joint rules.

W. S. COTTON, *Clerk.*