

MAINE STATE LEGISLATURE

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NEW DRAFT.

Sixty-Ninth Legislature.

HOUSE.

No. 264.

STATE OF MAINE.

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

AN ACT to amend and additional to chapter 285, Public Laws
of 1897, relating to Sea and Shore Fisheries.

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

Section 1. Section 39 of chapter 285 of the Public Laws
2 of 1897, is hereby amended by inserting after the word
3 "taken" in the sixth line of said section, the words, 'in a
4 gauge with a cleat upon each end of the same, measuring ten
5 and one-half inches between said cleats' and by striking out
6 after the word "lobster," in the seventh line of said section
7 the words, "extended on the back," and by inserting in place

8 thereof the following: 'laid upon its back and extended upon
9 its back upon the gauge, without stretching or pulling, to
10 the end of the bone of the middle flipper of the tail,' and by
11 striking out the word "five" in the tenth line of said section,
12 and inserting in lieu thereof the word 'one' so that said sec-
13 tion when amended will read as follows:

'Sect. 39. It is unlawful to catch, buy or sell or expose
15 for sale, or possess for any purpose, any lobster less than ten
16 and one-half inches in length, alive or dead, cooked or un-
17 cooked, measured in manner as follows: Taking the length
18 of the back of the lobster, measured from the bone of the
19 nose to the end of the bone of the middle flipper of the tail,
20 the length to be taken in a gauge with a cleat upon each
21 of the same, measuring ten and one-half inches between
22 said cleats, with the lobster laid upon its back and extended
23 upon its back, upon the gauge, without stretching or pulling,
24 to the end of the bone of the middle flipper of the tail, its
25 natural length, and any lobster shorter than the prescribed
26 length when caught, shall be liberated alive at the risk and
27 cost of the parties taking them, under a penalty of one dollar
28 for each lobster so caught, bought, sold, exposed for sale,
29 or in the possession not so liberated. The possession of
30 mutilated, uncooked lobsters shall be prima facie evidence
31 that they are not of the required length.'

Sect. 2. Section 41 of said chapter 285 is hereby amended
2 by striking out the word "five," after the word "of" in the
3 sixth line of said section, and inserting in lieu thereof the
4 word 'one,' so that said section, when amended, will read as
5 follows:

‘Sect. 41. It shall be unlawful to can, preserve or pickle
7 lobsters less than ten and one-half inches in length, alive or
8 dead, measured as aforesaid; and for every lobster canned,
9 preserved or pickled contrary to the provisions of this section,
10 every person, firm, association or corporation so canning,
11 preserving or pickling, shall be liable to a penalty of one
12 dollar for every lobster so canned, preserved or pickled con-
13 trary to the provisions of this section, and a further penalty
14 of three hundred dollars for every day on which such unlaw-
15 ful canning, preserving or pickling is carried on.’

Sect. 3. Section 48 of said chapter 285 is hereby amended
2 by striking out all of said section and inserting in lieu thereof,
3 the following:

‘Sect. 48. All fines and penalties under this act may be
5 recovered by complaint, indictment or action of debt brought
6 in the county where the offense is committed. The action
7 of debt shall be brought in the name of the commissioner of
8 sea and shore fisheries, and all offenses under, or violations
9 of, the provisions of this statute, may be settled by the com-
10 missioner of sea and shore fisheries, upon such terms and
11 conditions as he deems advisable. All fines, penalties and
12 collections under this act shall be paid into the treasury of
13 the county where the offense is committed, and by such treas-
14 urer, to the State treasurer, to be added to and make a part
15 of the appropriation for sea and shore fisheries.’

STATE OF MAINE.

HOUSE OF REPRESENTATIVES,
Augusta, March 3, 1899.

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

W. S. COTTON, *Clerk.*