

# MAINE STATE LEGISLATURE

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# SEVENTY-SECOND LEGISLATURE

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HOUSE.

No. 165

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## STATE OF MAINE.

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IN THE YEAR OF OUR LORD ONE THOUSAND NINE  
HUNDRED AND FIVE.

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AN ACT to amend section forty-four of chapter forty-one of  
the Revised Statutes, relating to close time for smelts.

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

Section 1. Section forty-four of chapter forty-one of the  
2 Revised Statutes is hereby amended by striking out the word  
3 "Taunton" in the twenty-fourth line and inserting in its place  
4 the word 'Franklin' and by adding thereto the following  
5 words 'nor to smelts taken in West bay and West Bay stream,  
6 so called, in the town of Gouldsboro, Hancock county,  
7 between the first and the fifteenth days of April,' so that said  
8 section as amended shall read as follows:

'Section 44. No smelts shall be taken or fished for in tidal  
10 waters, except by hook and line, between the first days of  
11 April and October, under a penalty of not less than ten, nor  
12 more than thirty dollars for each offence, and a further

13 penalty of twenty cents for each smelt so taken; and all weirs  
14 for the capture of smelts shall be open and so remain, and all  
15 nets used in the smelt and tom cod fishery, shall be taken  
16 from the water on or before said first day of April, under a  
17 penalty of not less than twenty, nor more than fifty dollars,  
18 and a further fine of five dollars for each day that any such  
19 weir or net remains in violation of law. But weirs with  
20 catch pounds covered with nets, the meshes of which are one  
21 inch square in the clear, or greater, are not subject to this  
22 section. But no smelts caught in such weirs after the first  
23 day of April, shall be sold or offered for sale in this State,  
24 nor shall smelts caught in any manner between the first day  
25 of April and the first day of October following be offered  
26 for sale, sold or shipped from the State under a penalty of  
27 twenty-five dollars for each offence; provided, however, that  
28 dip nets may be used between the first day of April and the  
29 first day of May, and all smelts caught by dip nets between  
30 said days may be lawfully offered for sale and sold in this  
31 State; provided, further, that this section does not apply to  
32 smelts taken in the Androscoggin river above the Merry-  
33 meeting bay bridge, between the first days of October and  
34 November, nor to smelts taken in the Penobscot river and its  
35 tributaries between the first and thirtieth days of April, nor  
36 to smelts taken in Casco bay between the fifteenth day of  
37 September and the first day of October, nor to smelts taken  
38 in Franklin bay between the first day of April and the first  
39 day of May, nor to smelts taken in Little Kennebec bay, so  
40 called, in the county of Washington between the first day of  
41 April and the first day of May, nor to smelts taken in West  
42 bay and West Bay stream, so called, in the town of Goulds-  
43 boro, Hancock county, between the first and the fifteenth  
44 days of April.'



STATE OF MAINE.

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HOUSE OF REPRESENTATIVES,  
Augusta, February 16, 1905.

Reported by Mr. TREWORGY from Committee on Shore Fisheries  
and ordered printed under joint rules.

E. M. THOMPSON, *Clerk.*