

MAINE STATE LEGISLATURE

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SEVENTY-SECOND LEGISLATURE

HOUSE.

No. 422

STATE OF MAINE.

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

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

*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 as follows: by adding
3 in the twentieth line after the word "bridge" the words 'or
4 in Narraguagus bay or river,' and by striking out the word
5 "Taunton" in the twenty-fourth line and inserting in its place
6 the word 'Franklin,' and by adding in the twenty-sixth line
7 after the word "called," the words 'or in Narraguagus bay
8 or river.' and by adding to the section the words 'nor to
9 smelts taken in West bay and West Bay stream, so called,
10 in the town of Gouldsboro, Hancock county, between the first
11 and the fifteenth days of April, nor to smelts taken in Passa-
12 maquoddy bay between the first day of September and the

13 first day of October,' so that said section as amended shall
14 read as follows:

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

47 bay or river, in the county of Washington, between the first
48 day of April and the first day of May, nor to smelts taken in
49 West bay and West Bay stream, so called, in the town of
50 Gouldsboro, Hancock county, between the first and fifteenth
51 days of April, nor to smelts taken in Passamaquoddy bay
52 between the first day of September and the first day of
53 October.'

STATE OF MAINE.

HOUSE OF REPRESENTATIVES,
Augusta, March 8, 1905.

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

E. M. THOMPSON, *Clerk.*