

MAINE STATE LEGISLATURE

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SEVENTY-THIRD LEGISLATURE

SENATE.

No. 260

STATE OF MAINE.

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

AN ACT to amend section forty-four of chapter forty-one of
the Revised Statutes relating to the taking of 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 as amended by chapters, twenty, thirty and
3 ninety-one of the Public Laws of 1905; and as further
4 amended by chapters twelve and thirty-five of the Public
5 Laws of 1907 is hereby further amended by striking out the
6 word "first" in the thirty-second line and substituting there-
7 for the word 'twentieth' so that the section as amended
8 shall read as follows:

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

38 and the first day of October, nor to smelts taken in Franklin
39 bay between the first day of April and the first day of May,
40 nor to smelts taken in Little Kennebec bay, so-called, or
41 in Narraguagus bay or river, in the county of Washington,
42 between the first day of April and the twentieth day of May,
43 nor to smelts taken in West bay and West bay stream, so-
44 called, in the town of Gouldsboro, Hancock county, between
45 the first day of April and the first day of May, nor to smelts
46 taken in Passamaquoddy bay and Cobscook bay and the coves
47 and inlets tributary to these bays between the first day of
48 September and the first day of October.'

Sect. 2. This act shall take effect when approved.

Coombs, March 14, 1907.

STATE OF MAINE.

IN SENATE, March 14, 1907.

Reported by Mr. WYMAN from Committee on Shore Fisheries, and
laid on table to be printed under joint rules.

F. G. FARRINGTON, *Secretary*.