

MAINE STATE LEGISLATURE

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SEVENTY-THIRD LEGISLATURE

SENATE.

No. 263

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

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

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

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*.