

# MAINE STATE LEGISLATURE

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# SEVENTY-FOURTH LEGISLATURE

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HOUSE.

No. 233

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## STATE OF MAINE.

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

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AN ACT to amend Section forty-four of Chapter forty-one of  
the Revised Statutes, relating to the taking of smelts.

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*Be it enacted by the People of the State of Maine, as follows:*

Section 1. Section forty-four of chapter forty-one of the  
2 Revised Statutes, as amended by chapter twenty, thirty and  
3 ninety-one of the Public Laws of nineteen hundred five, and  
4 as further amended by chapter twelve, thirty-five, one hun-  
5 dred twenty-three and one hundred thirty-six of the Public  
6 Laws of nineteen hundred seven, is hereby further amended  
7 by striking out in the twenty-fourth and twenty-fifth lines  
8 thereof the words "nor to smelts taken in Taunton Bay be-  
9 tween the first day of April and the first day of May," so  
10 that said section as amended shall read as follows:

'Section 44. No smelts shall be taken or fished for in tidal  
12 waters, except by hook and line, between the first days of  
13 April and October, under a penalty of not less than ten, nor  
14 more than thirty dollars for each offense, and a further pen-  
15 alty of twenty cents for each smelt so taken; and all weirs  
16 for the capture of smelts shall be open and so remain, and  
17 all nets used in the smelt and tom-cod fishery, shall be taken  
18 from the water on or before said first day of April, under a  
19 penalty of not less than twenty nor more than fifty dollars,  
20 and a further fine of five dollars for each day that any such  
21 weir or net remains in violation of law. But weirs with  
22 catch pounds covered with net, the meshes of which are one  
23 inch square in the clear, or greater, are not subject to this  
24 section. But no smelts caught in such weirs after the first  
25 day of April, shall be sold or offered for sale in this State,  
26 nor shall smelts caught in any manner between the first day  
27 of April and the first day of October following be offered  
28 for sale, sold or shipped from the State under a penalty of  
29 twenty-five dollars for each offense; provided, however, that  
30 dip nets may be used between the first day of April and the  
31 first day of May, and all smelts caught by dip nets between  
32 said days may be lawfully offered for sale and sold in this  
33 State; provided further, that this section does not apply to  
34 smelts taken in the Androscoggin River above the Merry-  
35 meeting Bay bridge, between the first days of October and  
36 November, nor to smelts taken in the Penobscot River and  
37 its tributaries between the first and thirtieth days of April,

38 nor to smelts taken in Casco Bay between the fifteenth day  
39 of September and the first day of October, nor to smelts  
40 taken in Little Kennebec Bay, so called, in the County of  
41 Washington, between the first day of April and the first  
42 day of May.'

STATE OF MAINE.

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HOUSE OF REPRESENTATIVES,

Augusta, Feb. 18, 1909.

Tabled pending reference to a committee by Mr. DAVIES of  
Yarmouth and ordered printed.

E. M. THOMPSON, *Clerk.*