

# MAINE STATE LEGISLATURE

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SEVENTY-FIFTH LEGISLATURE

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HOUSE

NO. 482

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*House of Representatives, Mar. 8, 1911.*

*Introduced by Mr. Trim of Islesboro, who moved its reference to the Committee on Sea and Shore Fisheries. By Mr. Heffron of Eastport tabled for printing pending reference to a committee.*

*C. C. HARVEY, Clerk.*

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STATE OF MAINE

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

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AN ACT for the better protection of herring in Penobscot Bay.

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

Catching, fishing for, killing or taking herring in the waters of the eastern and western Penobscot Bays, inside of a line drawn from Camden Harbor light to the southernmost point of Job's Island, thence to Eagle Island light, thence to the southwestern point of Cape Rosier, except in the following described manner, is hereby prohibited under penalty as provided:

Section 1. With old style gill nets.

Sect. 2. With permanent weirs of the kind now in common use in these waters, consisting of at least forty (40) poles driven in a permanent manner by a pile driver, or

4 ballasted, and filled in with brush, twine or other material,  
5 and in all cases connected with the shore, as is usual with  
6 the weirs now in use. Where two pounds are constructed,  
7 one shall be known as the catching pound, the other as the  
8 saving pound, and where two pounds are used, neither pound  
9 shall exceed one hundred and twenty (120) feet in diameter  
10 in its widest place. Where one pound only is constructed  
11 it shall not exceed two hundred (200) feet in diameter in  
12 its widest place.

Sect. 3. By use of a permanent trap with at least twenty-  
2 five poles permanently driven by a pile driver, or ballasted,  
3 and to have a bottom of twine to draw up in taking out the  
4 herring.

Sect. 4. It shall be unlawful to erect or maintain fish  
2 weirs or traps on any spawning ground or upon grounds  
3 where spawning herring usually inhabit.

Sect. 5. It shall be unlawful to kill or offer for sale, spawn  
2 or milt herring in excess of ten per cent. of the quantity  
3 caught and offered for sale, at any time.

Sect. 6. It shall be unlawful for any person to attach a  
2 seine or net to the outside of his weir or trap, for the pur-  
3 pose of sweeping or leading herring into his weir or traps.

Sect. 7. It shall be unlawful to kill herring and leave them  
2 to the amount of five bushels or more on the bottom to de-  
3 cay.

Sect. 8. It shall be unlawful to fish for or take herring  
2 within one thousand feet of any weir that is in fishing con-

3 dition. This Section does not apply to weirs already con-  
4 structed.

Sect. 9. It shall be unlawful to drive herring by the use  
2 of power boats, noise, torches, or any other means.

Sect. 10. It shall be unlawful for the owner or operator  
2 of a weir to leave the stakes, brush, or other material, of  
3 which said weir consists, after abandonment of one year.

Sect. 11. Municipal and police courts and trial justices  
2 shall have jurisdiction of all offenses under this act.

Sect. 12. Any person violating any provision of this act  
2 shall be punished by a fine of not less than One Hundred  
3 Dollars, nor exceeding Five Hundred Dollars for each of-  
4 fense and in default of payment shall serve in jail not less  
5 than thirty days nor exceeding ninety.

Sect. 13. All acts or parts of acts inconsistent with this  
2 act are hereby repealed.